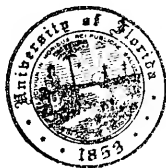MORAL THOUGHT AND ARGUMENT IN EDUCATION

By

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A DISSERTATION PRESENTED TO THE GRADUATE COUNCIL OF
THE UNIVERSITY OF FLORIDA
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
DEGREE OF DOCTOR OF PHILOSOPHY

UNIVERSITY OF FLORIDA

1975

magazine article as possessing as great a mind as Aristotle and Leonardo da Vinci. The comparison was not unjust. He is a modern day renaissance man in an age of specialization. Officially he was a faculty member of the Departments of Biology, Philosophy, and Education at Chicago. But there were few departments in the University which did not often ask him to give a lecture or offer a course. Among the many valuable insights that he always imparted to his students was the fact that the departmentalization of universities and knowledge is not duplicated in the world outside. Practical problems arise in the world out of complex transactions among men, ideas, and things, a web of transactions that knows nothing of the neat academic boundaries which separate both the disciplines and the schools of thought within the disciplines. Thus he was and is interested in the possibilities of cultivating eclectic wisdom that would enable its possessors to draw on diverse bodies of knowledge and modes of inquiry to meet the pressing problems of modern civilization.

Finally I wish to thank Professor Hoyt Edge of Rollins College for kindly permitting me to use a quiet office near the library at Rollins in the Summer of 1974, during which time I was able to do much of the preliminary thinking and drafting for this study.

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MORAL THOUGHT AND ARGUMENT IN EDUCATION

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December, 1975

Chairman: Robert R. Sherman
Major Department: Foundations of Education

Education is an inherently normative enterprise. To
establish schools is to presuppose that education benefits
students and society. A curriculum is knowledge that is pre-
supposed to be worth having. The activity of teaching pre-
supposes that understanding is a value of high order. There
are many other values and value questions that are directly
connected with education. For example, what moral values,
if any, should be taught in schools? Who should receive what
kind of education, and how much? And so it goes.

If the considerations above seem obvious, they are
also significant. For they focus attention on the fact that
educational policy questions are in large measure moral ques-
tions as well. This fact in turn calls into prominence the
question of whether there can be any rational foundation to
moral deliberations. Educators are confronted daily with moral
issues. If there can be no rational basis to their delibera-
tions, then the whole process of deciding about educational

issues must be arbitrary at best, and, at worst, in vain.

The purpose of this study is to provide a rational framework composed of objective criteria which will make it possible to resolve complex educational issues fairly and wisely. Discussions about such issues are frequently anything but exemplary of the ideal of rational deliberation. Instead the discussions are usually characterized by conceptual confusion, fallacious argument, disregard for the facts of the case, and misunderstanding of or disregard for the nature of ethical judgment. This study is addressed expressly to these shortcomings.

In Chapter I the significance of ethics for education is illuminated by making explicit some of the implicit normative aspects of the concept of education.

Chapters II and III are designed to improve the readers' understanding of the nature of ethical judgment. In Chapter II a critical review of the major traditional ethical theories is presented. The discussions in that chapter make it clear why none of these theories, of itself, provides a rational basis for ethics which might contribute favorably to the intelligent resolution of educational issues.

In Chapter III a more satisfactory moral point of view is advanced. Through analysis of our ordinary moral thought and language, some of the implicit presuppositions of the concept of morality itself are made more explicit. Foremost among these presuppositions is the principle of impartiality

which obliges us to respect the interests of other persons
as if they were our own.

Chapter IV presents some tools of critical thinking
relevant to moral thought and argument. And in Chapters V
and VI these tools of thought along with the moral point of
view advanced in Chapter III are applied to some real educa-
tional issues. In Chapter V the current issue of busing
public school students for purposes of school desegregation
is treated. By using the criteria of logic, clarity of ex-
pression, the facts of the case, and impartial moral respect
for others, the arguments for busing are shown to outweigh
those advanced in opposition to busing. Chapter VI takes up
the perennial issue of educational discipline. By breaking
this issue down into simpler issues and by again employing the
above four criteria, a case is made for transferring discipline
from without to within students themselves through the use
of interest-based instruction, enforced and explained rules
of order, fair and effective punishment for misbehavior, and
moral education that aims to develop an understanding of the
form of moral reasoning. In both of these chapters the pri-
mary aim is to illustrate how moral educational issues can
be dealt with intelligently. Their secondary purpose, of course,
is to say something of interest and importance about these
issues.

In short, the aim of this study is to show that and how
it is possible to resolve educational issues on a rational
basis.

CHAPTER I
INTRODUCTION

> Ethical philosophy makes a difference to education
> --the difference of a method that may be adequate
> to support the values it incorporates; but this
> theoretical dependence does not mean that the one
> profession depends upon the other. Educationists
> need not receive their values from philosophers.
> They always have the alternative of being philos-
> ophers themselves.
>
> <div align="right">--Kingsley Price</div>

Anyone actively engaged or otherwise interested in
the enterprise of education knows that educational policy
issues are usually controversial and emotion-laden. School
desegregation, student discipline, teacher unionization,
and text book selection are but a few examples. No matter
at what level of formality discussions about such issues
arise (from street corner to school board meeting to con-
gressional hearing) the discussions are frequently more
confused, emotional, and irrelevant than might be hoped
for ideally.

When the debate over complex and controversial educa-
tional issues falls short of the ideal of rational deliber-
ation, it does so in one or more of four areas: (1) rules
of logic are violated, (2) conceptual confusions arise
owing to the use of vague, ambiguous, or unfamiliar words,

(3) relevant facts of the case are overlooked or ignored, and (4) the nature of ethical judgment is misunderstood or misrepresented. This study is written with the aim of leaving its readers more knowledgeable about and consciously aware of the importance of maintaining a respect for logic, language, the facts of the case, and interests of other persons. For when one is able to remember and use these criteria as guides for formulating one's thoughts and utterances about educational issues, one's chances of thinking and speaking in a more reasonable fashion are increased.

The debate over the merits of busing public school children for purposes of desegregation provides us with a current example of how the breaking of rules of logic can impede the rational discussion of complex educational issues. An argument sometimes voiced in support of busing is that busing for desegregation is the right thing to do because for years segregationists have been busing black children great distances to ensure that they will attend all black schools. But this fact does not _of itself_ justify busing for desegregation. What is missing is a positive reason or reasons for busing. The assumption here is that, if the other side does it, then it must be all right. Such reasoning is an example of what logicians call the fallacy of two wrongs. Two wrongs do not add up to a right.

As I have said, conceptual confusions are a second

common shortcoming in discussions about educational policy questions. Key terms in the particular issue at hand become confused owing to the vagueness, ambiguity, or unfamiliarity of these terms, and the discussions thus become knotted in semantic snarls that can be untangled only by careful analysis and definition of the confusing terms. For example, discussions about the proper type of discipline in schools sometimes never get anywhere simply because the word "discipline" changes meaning as it changes hands in the discussion. One person uses the word to refer to punishment, another person uses the word to refer to obedience to essentially self-imposed rules, and another person uses the same word to refer to unfaltering obedience to school officials. Meanwhile none of the discussants seems to notice these subtle shifts in meaning.

Disregard for the facts of the case is a third dialectical deficiency in discussions about educational issues. It is frequently possible to establish both the factual circumstances out of which the issue in question has arisen and the probable consequences of proceeding on each of the alternative courses of action available in the issue. These facts of the case, however, are frequently ignored or overlooked. For instance, in the debate over busing, opponents of busing generally show little interest in the evidence on the effects of segregation or the evidence concerning the effects of desegregation.

And finally, because educational issues are in large

measure questions about what it would be morally right to
do under the circumstances, another shortcoming of the
discussions about such issues is a general misunderstanding
of the nature of ethical judgment. For example, in a
discussion about equal educational opportunity, a white
racist might proudly point out that he is perfectly <u>con-
sistent</u> in not caring about equal educational opportunities
for blacks; since, if he were black, he would not be as en-
titled to quality schooling as whites. The racist's tacit
assumption here, of course, is that consistency alone is
a sufficient criterion for morally evaluating human conduct.
Such an assumption belies a lack of clear insight into the
idea of morality itself. In Chapter II I indicate some
of the shortcomings of the more famous traditional theories
of ethics. And in Chapter III I attempt to clarify the
essential features of the idea of morality itself by ex-
ploring what is implicitly presupposed by anyone who takes
the idea of morality seriously.

The aim of this study, then, is to present to educators
and other interested persons a general approach to dealing
with educational policy issues that more closely approx-
imates the ideal of rational deliberation. To begin this
undertaking it will be necessary to return to one of the
points made in the preceding paragraph, namely, that educa-
tional policy questions are in large measure questions about
what it would be morally right to do under the circumstances.
To see more clearly the connections between ethics and edu-

cation it will be useful to examine the field of philosophy
known as ethics and to clarify the concept of education.
I begin with the former task.

What Is Ethics?

Ordinary uses of the word "ethics" usually refer to
a set of specific rules or general principles of conduct
which sanction some kinds of conduct and forbid others.
"Business ethics," for example, refers to a code of conduct
designed to regulate the acts of businessmen as they affect
their customers, employees, competitors, and community.
"Medical ethics" refers to a code of conduct to be observed
by doctors vis-a-vis their patients and colleagues. In
philosophical contexts, however, "ethics" is a more compre-
hensive term. Here it designates a set of principles that
governs the conduct of not just one small class of indi-
viduals but the conduct of all rational persons. Ethics
is the branch of philosophy whose subject matter is morality.
Just as botany is the study of plants, ethics (or moral
philosophy) is the study of morality. Ethics is a normative
discipline insofar as it inquires into the ultimate worth
of the goals that persons seek, and into the propriety of
their voluntary acts. Ethics becomes analytical when it
seeks to clarify the meaning of key terms in moral discourse,
such as "ought," "right," "good," and so on. A further
analytical task of the moral philosopher is to ask what
ethical statements mean, whether they can be justified,
and, if so, how.

Ethics is a _practical_ discipline insofar as its in-
quiries usually begin in real-life dilemmas that give
rise to the question: "What ought I to do?" Ethics is a
theoretical discipline insofar as the moral philosopher
tries to generalize beyond particular cases, hoping to
develop principles that can be applied consistently, not
just to a particular type of case, but to all moral problems.
As a field of study in philosophy, then, ethics is a disci-
pline in which students study human motives, intentions,
ultimate goals, and voluntary conduct via the medium of
theories about these. Let us next briefly explore the con-
cept of education.

What Is Education?

By "the concept of education" I mean the general idea
of education. To clarify a concept (or idea) is to make
explicit the implicit rules which ordinarily govern our
thought and language about the concept in question. By
looking at the way we ordinarily use the word "education"
it is possible to uncover the tacit rules that govern our
ordinary thought and language about education and to dis-
tinguish education from concepts that are similar in many
ways, but yet are distinct enough to be regarded as being
significantly different.

When one begins to examine our ordinary uses of the
word "education" roughly four general senses of the word
can be discriminated. There is first the broad sense of
"education" in which what is being referred to is _any_

learning experience. In this sense of the word practically
every experience counts as education. Here we talk about
being educated in the school of hard knocks. And we say
things like, "My first marriage was a real education."

A second identifiable usage of "education" refers to
a field of study, namely, the study of methods and theories
of teaching and learning. In this usage a college student
might say, "My major is education."

A third sense refers to a process that takes place
at an institution of learning. "Schooling" is synonomous
with this sense of "education."

A fourth usage refers to the product of schooling.
Here we might use the phrase "a high school education"
to refer to the kinds of knowledge and dispositions that
one normally acquires as a result of having gone to high
school.

It is the third and fourth senses of "education"
which require further elaboration here. For it is the
ethical aspects of the processes and products of schooling
that are of moment in this study. One discernible aspect
of the third sense is that we do not equate educating
with some other similar processes. Consider training and
indoctrination, for example. We would not say that a well
trained blacksmith was necessarily well educated. Nor would
we ordinarily say that someone who had been brought to
believe a large number of facts in an unshakeable way
(that is, had been indoctrinated) was, therefore, well

<u>educated</u>. The point to be gleaned from these distinctions
is that when we talk about education we are talking about
intentionally bringing about some kind of critical under-
standing on the part of students.

What is understanding? Understanding varies with the
subject matter understood. For this reason, among others,
some thinkers have concluded that "understanding" is a
totally context-dependent word with no central meaning.[1]
But there seems to be enough similarity among all kinds of
understanding to give some meaning, if only a general one,
to the word "understanding." People understand the moral
rightness of an act, the beauty of a painting, and the
validity of a solution to an arithmetic problem. What are
they doing when they are understanding each of these things?
There are impartial (publicly known and accepted) reasons
for saying that an act is morally right, that a painting
is beautiful, or that a solution to an arithmetic problem
is valid. Knowing what kind of reasons are appropriate
to these different subject matters is a part of understanding
them. Understanding thus involves broad perspective rather
than piecemeal knowledge of seemingly disjoint and unrelated
subjects. That is, to understand what kind of reasons
are appropriate to different kinds of subject matters im-
plies that one has some overview of the disciplines, a view
of their similarities, differences, and connections.

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[1]See, e.g., Paul Ziff, <u>Understanding "Understanding"</u>
(Ithaca, N.Y.: Cornell University Press, 1972).

Understanding is also a self-correcting kind of knowledge. It is acquired through open-minded inquiry in which false notions or pronouncements from others are fated to be disproven. Such is seldom the case with training. And such is almost never the case with indoctrinating, unless (and this is the only exception) what one is being indoctrinated to believe is that one must never accept anything uncritically.

An educational process may begin with training, perhaps even indoctrination, but it does not stop there. An educated person is one who has acquired a disposition to act in obedience to some rule (whether it be a rule of arithmetic, art, morals, or whatever) because he understands that it is the correct way to act under the circumstances.

By contrast, the well trained person is one who merely has acquired a disposition to behave in accordance with a rule. No reasons concerning the fittingness of the rule need be understood here. All that is required is a behavioral response. Wittingness is unimportant.

And the indoctrinated person is one who has been brought to believe something in an unshakeable way. How this belief was cultivated is not important. Hence bribery, threats, lies, and so on count as valid means of indoctrinating. And whether the belief held is actually true is not of importance either.

If understanding is one major facet of the concept of education, there is a second major aspect of the concept

of education which also merits notice. This second feature
is what R.S. Peters has called "worth-whileness."[2] The
point here is that to educate someone is to improve him.
"Education," in the schooling sense of the word, refers to
a family of processes which has as one of its principles of
unity the development of desirable qualities in students.
Notice, for example, that it would strike us as sounding
odd to hear someone say, "I educate people at my school,
but I don't do them any good." The notion of education
presupposes the idea of betterment.

This second feature begins to bring into focus the
significance of ethics for education. For it now can be
seen that the notion of schooling is shot through with
ethical presuppositions. Establishing schools, for example,
presupposes that education is a good of high order. The
activity of teaching presupposes that learning is a good
worth helping persons to achieve. A curriculum is know-
ledge presupposed to be of most worth. These are values
presupposed by anyone who takes the process of education
seriously.

Notice too that more specific educational questions have
a substantial ethical import to them also. For example:
What forms of punishment, if any, are appropriate in an

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[2]Peters uses this term in a number of his publications
on education. See, e.g., R.S. Peters, "What Is an Educational
Process," The Concept of Education, ed. R.S. Peters (London:
Routledge and Kegan Paul, 1966), p. 4.

educational institution? What moral values, if any, should be taught to students? What rights should students have in relation to school authorities? And as concerns education as a product, there are always questions about who should receive what kinds of education, and how much. Given all of the above considerations, then, it seems almost needless to say that educators or other interested persons who wish to work out for themselves where they stand on the perennial and the more topical issues of educational policy can benefit from a study of moral thought and argument.

As was noted at the outset of this chapter, attempts to deal with normative educational issues are frequently characterized by fallacious argumentation, linguistic confusion, disregard for the facts of the case, and lack of understanding of the nature of ethical judgment. The aim of this study is to present a general approach to dealing with educational issues in a more reasonable manner. This approach consists of a theoretical moral point of view and some elements of critical thinking. The moral point of view to be advanced herein will facilitate a better understanding of the nature of ethical judgment. The elements of critical thinking to be discussed herein are included in response to the other common deficiencies in educational policy discussions, namely, disregard for the logic, language, and facts of the case.

Overview of the Study

The next chapter presents a critical review of com-

peting traditional theories of ethics. Occasionally persons
uncritically adopt one of these theories or some variation
on one of them and then feel secure that this theory, of
itself, can supply them with all the guidance and information
needed to deal with moral educational issues intelligently.
This is unfortunate, since no ethical theory, by itself and
irrespective of factual circumstances, can tell us precisely
what ought to be done. Moreover, even if we recognize
the importance of attending to the facts of the case,
none of the traditional ethical theories offers much of an
objective basis upon which ethical disputes might be resolved
peacefully and wisely. The aim of Chapter II is to illumi-
nate the shortcomings and merits of the major traditional
ethical theories and also to put into historical and philo-
sophical perspective the moral point of view advanced in
Chapter III.

In Chapter III the idea of morality itself is explored.
By analyzing our ordinary moral thought and language it is
shown that to conduct oneself morally is to act in obedience
to the principle of impartially respecting the interests
of other and future persons as if they were one's own inter-
ests. At that point in the study the first of the necessary
elements in any effort toward the intelligent resolution
of educational issues will have been presented, namely, an
impartial and objective moral point of view.

In trying to deal with complex issues in education,
however, it is not enough simply to know that one ought

always to respect impartially the legitimate interests of others. What are needed in addition are some habits of critical thinking, specifically, the propensities to try (1) to detect and reject fallacious reasoning, (2) to clarify the key terms involved in the issue, and (3) to establish the factual circumstances out of which the issue has arisen and the probable consequences of proceeding on the alternative courses of action available. Accordingly, in Chapter IV a discussion of the nature and importance of maintaining a respect for logic, language, and the facts of the case is presented.

Then in Chapters V and VI the habits of critical thinking discussed in Chapter IV and the moral point of view advanced in Chapter III are combined to illustrate a general approach to dealing with educational issues intelligently. In Chapter V the topical issue of busing for purposes of racial and socioeconomic school desegregation is treated. Chapter VI takes up the perennial issue of discipline in education. In both of these chapters the primary aim is to illustrate how one might go about dealing with educational issues fairly and wisely. Their secondary purpose, of course, is to say something of interest and importance about these particular issues.

In short, then, the aim of this study is to present to educators and other interested persons some criteria for moral thought and argument which can contribute to a more reasonable approach to dealing with educational issues.

These criteria are a respect for logic, language, the facts of the case, and the legitimate interests of other (including future) persons.

CHAPTER II
TRADITIONAL ETHICAL THEORIES

> Of course, what general principles any philospher
> happens to espouse is only a biographical fact about
> him, so far no more important than the ethical val-
> ues of any other person. But philosophers also try,
> as part of their professional business, to give rea-
> sons for these principles. It is these reasons that
> make the philosophical enterprise important.
> --Richard Brandt

A critical review of traditional ethical theories is
appropriate in this study for a number of reasons. First,
as was seen in Chapter I, discussions about controversial
educational issues are in large measure discussions about
what it would be morally right to do under the circumstances.
Hence any sincere attempt at resolving educational issues
in an intelligent manner is predicated on the hope that
there can be some rational and objective basis for ethical
judgments. The critical review of ethical theories presented
here will attempt to show to what extent, if any, each of
the traditional ethical theories offers a rational basis
for ethics. This chapter will also help to put into his-
torical and philosophical perspective the moral point of
view to be explicated in Chapter III. This chapter is
also appropriate in light of the aforementioned casuistic

assumptions of those who adopt any one of the theories
to be reviewed here and then take refuge in the belief
that they have a pharmacopeia of prescriptions sufficient,
in itself, to meet any ethical dilemma that might arise.

Special emphasis in this chapter will be placed on the
meaning attributed to ethical language by the moral philos-
ophers in question and how they thought ethical judgments
could be justified. By emphasizing the meaning and justi-
fication traditionally attributed to ethical discourse,
four types of ethical theories can be discriminated. These
will be called Emotivism, Relativism, Naturalism, and Non-
naturalism. By emphasizing things other than the meaning
and justification of ethical discourse, different organi-
zations of ethical theories can be achieved. The organi-
zation of a stamp collection, for example, depends on what
commonplace one chooses to emphasize. Stamps can be organ-
ized by country of origin, face value, size, shape, or
whatever. Similarly, commonplaces of ethics other than
meaning and justification provide bases for other organi-
zations of theories. But an emphasis on meaning and justi-
fication seems the most appropriate for the purposes of
this study.

The interest in the meaning and justification of
ethical statements is more a modern than traditional concern.
Most of the theories to be reviewed here were not formulated
after the philosophers in question had first stated ex-
plicitly their views of what ethical statements meant and

how they could be justified. Had they done so, their
theories no doubt would have been constructed more self-
consciously, intelligently, and successfully. As I have
said, attempts to resolve educational issues rationally
are predicated on the anterior belief that there can be
some rational and objective basis for resolving ethical
disputes and justifying ethical judgments. By focusing on
the philosophers' implicit views about the meaning and
justification of ethical statements, we will be able to
see more clearly whether and to what extent their ethical
theories present a rational and objective basis for the
resolution of ethical disputes. Ultimately it will be seen
that only one of these theories offers much hope for there
being such a rational and objective basis for ethics.
And even that theory does not go far enough in that regard.
I begin with what might be called an untheory of ethics, a
skeptical view of the meaning and justification of ethical
statements.

Emotivism

Emotivists (also known as positivists or noncognitivists)
hold that ethical statements are basically meaningless and
incapable of any kind of rational or objective justification.
This school of thought grew out of the historically antece-
dent beliefs of persons like Auguste Comte and others before
him who held that all knowledge of nature is derived from
sense experience alone. In Comte's words,

> All good intellects have repeated since Bacon's time
> that there can be no real knowledge but that which
> is based on observed facts.[1]

The thrust of the emotivist position is the belief that

ethical statements do not assert any facts, they merely

express emotions. On this basis ethical discourse is

held to be meaningless. As two early emotivists put the

matter,

> This particular use of "good" is, we suggest, a purely
> emotive use. When so used the word stands for nothing
> whatever, and has no symbolic function.[2]

Actually the doctrine of emotivism may be divided

into two subspecies. On the one hand, there is the more

radical version advocated by A.J. Ayer and others. And on

the other hand, there is the slightly less extreme form

associated with C.L. Stevenson and others. The heart of

Ayer's thesis is contained in the following passage,

> But in every case in which one would commonly be
> said to be making an ethical judgment, the function
> of the relevant ethical word is purely 'emotive.'
> It is used to express feeling about certain objects,
> but not to make any assertion about them....
> We can now see why it is impossible to find a
> criterion for determining the validity of ethical
> judgments. It is not because they have an 'absolute'
> validity which is mysteriously independent of ordi-
> nary sense-experience, but because they have no objec-
> tive validity whatsoever. If a sentence makes no
> statment at all, there is obviously no sense in asking
> whether what it says is true or false. And we have
> seen that sentences which simply express moral judg-

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[1]Harriet Martineau (trans.), The Positive Philosophy
of Auguste Comte (New York: Calvin Blanchard, 1858), p. 27.

[2]C.K. Ogden and I.A. Richards, The Meaning of Meaning
(New York: Harcourt, Brace and Co., 1923), p. 125.

ments do not say anything. They are pure expressions of feeling and as such do not come under the category of truth and falsehood. They are unverifiable for the same reason as a cry of pain, or a word of command is unverifiable--because they do not express genuine propositions.[3]

Ayer's position, then, is that because ethical statements are not empirically verifiable, they are meaningless. While ethical statements appear to be fact reporting sentences, they are instead disguised exclamations and commands that report nothing more than the speaker's emotions. For example, the ethical statement, "Stealing is wrong," really expresses the emotion, "Stealing, Booh!" masquerading as a statement of fact. It conveys no proposition that can be justified in any rational way.

A second, slightly less extreme form of emotivism is associated with C.L. Stevenson. Stevenson argues that while ethical statements convey no verifiable facts, they do serve a legitimate communicative function. They express the speaker's "attitude" about something and are used to evoke the same attitude in others. Like Ayer, Stevenson sees no basis for any rational justification of ethical statements. But he does suggest the possibility of ethical agreement among individuals. Agreement is a possibility insofar as it is possible to change a person's attitude. Changing a person's attitude can be done in one or both of two ways. It may be done by showing that the facts of

[3]Alfred Jules Ayer, Language, Truth and Logic (London: Victor Gollancz Ltd., 1948), p. 108.

the case are not what the person had thought them to be, or by appealing to other overriding attitudes of the person.[4]

There are some implications of emotivism that merit notice. First, like the emotivists, John Dewey was aware of the fact that ethical judgments call forth feelings. But he argued that,

> To take the cases in which 'emotional' factors accompany the giving of reasons as if this accompaniment factor were an inherent part of the judgment is, I submit, both a theoretical error and is, when widely adopted in practice, a source of moral weakness.[5]

At the center of Dewey's criticism of emotivism is his contention that ethics is primarily a practical discipline. Actual people confronting actual problems are the subject matter of ethics, and its goal is the elaboration of the types of problems that are moral and the formulation of means for their solution. Emotivism involves a misleading abstraction. It focuses on only one aspect of our moral thought and language, namely, the emotive aspect. To assume that feelings are the sole subject matter of ethics is to forget that people do have to choose and act.

A second problem of emotivism is that any forthright emotivist must admit to being a normative cynic. And thus there is reason to question why one ought to believe emotivism, or why emotivists even bother to state their position.

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[4]Charles Leslie Stevenson, Ethics and Language (New Haven: Yale University Press, 1944), Chaps. 1, 2, 4-7, 9.

[5]John Dewey, "Ethical Subject-Matter and Language," Journal of Philosophy, XLII (December 20, 1945), 703.

As C.I. Lewis once wrote,

> The denial to value-apprehensions in general of the
> character of truth or falsity and of knowledge, would
> imply both moral and practical cynicism. It would
> invalidate all action; because action becomes point-
> less unless there can be some measure of assurance
> of a valuable result which it may realize. And this
> negation, if it be carried out consistently, likewise
> invalidates all knowledge; both because believing is
> itself an active attitude which would have no point
> if it were not better to be right than wrong in what
> one believes, and because knowledge in general is for
> the sake of action. If action in general is pointless,
> then knowledge also is futile, and one belief is as
> good as another.[6]

A noteworthy implication of Lewis' point is that any

serious emotivist must take the role of a moral cynic in

discussions about normative educational issues and hence

must assume that the discussions are pointless and objectively

irreconcilable. This places the emotivist in a dubious

position. For, on the one hand, he wants to ground all

prescriptions (including educational ones) on empirically

verificable data. But, on the other hand, if he engages

in any normative discussion of why this ought to be done,

he violates one of his own first principles, namely, that

value statements are only persuasive, emotive, imperatival

utterances. For example, the emotivist C.L. Stevenson

has recommended that educational aims be "straightened out

under the guidance of beliefs that are well verified."[7]

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[6]Clarence Irving Lewis, An Analysis of Knowledge and
Valuation (LaSalle, Illinois: The Open Court Publishing
Co., 1946), p. 366.

[7]Charles Leslie Stevenson, "The Scientist's Role and
the Aims of Education," Philosophy and Education, ed.
Israel Scheffler (Boston: Allyn and Bacon, 1958), p. 50.

His recommendation is predicated, of course, on his empiri-
cist assumption that scientists are somehow best qualified
to formulate educational aims. As he puts it, if scien-
tists "won't risk making value judgments, then I'd like to
ask who _is_ going to make them."[8]

Two points should be noted here. First, Stevenson's
recommendation wrongly assumes that, because scientists are
well qualified to describe for us the way the world _is_, they
are therefore best qualified to prescribe what the world
ought to be like. He makes this jump from is to ought
without having offered any explanation of how descriptions
can be satisfactorily translated into prescriptions, or why
a person well versed in the former is best suited to formulate
the latter.

Second, there is the point that it is odd that Stevenson
or any emotivist should make prescriptions about educational
aims. It is odd since Stevenson, as we have seen earlier
in this section, wants to claim that value statements are
only emotive utterances. His recommendation about educational
aims here is not self-contradictory insofar as one subjective
emotive utterance is presumably as good as the next. But,
if one understands Stevenson's view of normative discourse,
one must also understand that the particular value which
Stevenson is advancing here must (on his emotivist view)
only be one for which we will have either a receptive or

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[8]_Ibid._

an aversive emotion. So, never mind what you <u>think</u> about the idea of scientists administering our schools and legislating a new world order, how do you <u>feel</u> about it?

Another problem with emotivism concerns the concept of an emotion. As has been shown, emotivism equates moral judgments with emotions of approval and disapproval. But what does it mean to "approve" or "disapprove" of something? Does it mean that moral judgments are merely either receptive or aversive gut responses? While it is the case that approval and disapproval often carry with them an affective component, they also seem to acquire this affect from some cognitive basis. Though most people are unable to articulate clearly on an extemporaneous basis the rational foundation for their approvals and disapprovals, this does not preclude the possibility of there being such a foundation. As A.C. Ewing has pointed out, emotions are a psychological component of moral judgments just as breathing is a physiological component of moral judgments. Neither of these, however, rules out the possibility of there being a rational and objective component to moral judgments.[9]

It is possible, and indeed probable in light of the best available evidence, that each of us carries with him a tacit definition of what is right and wrong, and that we judge acts right or wrong insofar as they are consistent or inconsistent with our definitions. The extent to which

[9]A.C. Ewing, "Subjectivism and Naturalism in Ethics," <u>Mind</u>, LIII (April, 1944), p. 139.

our individual definitions are rationally defensible depends upon our own individual level of moral development. It may come as some small consolation to emotivists to know that this is the view of social psychologists, such as Lawrence Kohlberg and Eliot Turiel, who are studying moral development _empirically_. More will said concerning their work in the next and other sections of this study.

Relativism

One of the oldest ethical theories is relativism, the view that different groups of people subscribe to different moral principles and that there is no objective reason why one group's moral code is superior to the code of any other group.[10] Before pursuing this theory any further, a preliminary conceptual point should be clarified. Two types of relativism may be discriminated and should not be confused. There is first the descriptive claim that moral principles of separate groups are often different in a fundamental way. This claim is an essentially empirical and nonjudgmental one. But ethical relativism makes the further prescriptive claim which says that descriptive relativism is not only true, but that conflicting moral principles held by different groups are _equally_ _valid_.

One such ethical relativist was William Graham Sumner.

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[10]Frederick J. Copleston, for example, traces this view back as far as the fifth century B.C. Greek, Protagoras. See Frederick J. Copleston, _A_ _History_ _of_ _Philosophy_ I (London: Burns Oates and Washburn Ltd., 1946), pp. 87-90.

According to Sumner, to say that an action is "right,"
for example, means nothing more than that it conforms to
the folkways of the speaker's group. And Sumner held that
there is no standard beyond folkways by which ethical
judgments may be evaluated. Philosophers who think they
can appraise folkways, he argued, are only giving expres-
sion to the preconceptions of their own group's mores.[11]

This theory presents many noteworthy problems. First,
if there is no way to evaluate one moral code against
another, the ideas of moral progress and decadence are
meaningless in any objective respect. For example, if
relativism is correct, the mores of prewar Germany were
not objectively better than those of Nazi Germany. They were
instead "equally valid." This is not a conclusive objection
to relativism, but it is at least an interesting implication,
given our ordinary beliefs in the reality of moral progress
and decadence.

Another interesting, if also inconclusive, objection
to relativism is that, if no moral code is superior to
another, the idea of following any moral code is called into
question. After all, if all moral codes are equally valid,
why obey any of them?

Notice too that on this view a society which permits
some people to exploit and abuse their fellow humans arbi-
trarily without regard for their welfare is no more objec-

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[11]See William Graham Sumner, Folkways (Boston: Ginn
and Co., 1934).

tionable than a society in which all persons treat their
fellows with love and respect.

There is one problem of relativism, however, that
makes it far less attractive, even to those who are unim-
pressed by the above implications. Insofar as ethical
relativism is predicated on the truth of descriptive rela-
tivism, ethical relativism must stand or fall on the empiri-
cal validity of descriptive relativism. And many modern
social scientists studying social mores have questioned
the validity of descriptive relativism. Among these are
Jean Piaget and, more recently, Lawrence Kohlberg. Kohl-
berg's cross cultural research on moral development suggests
that in every culture all persons move through a six stage
sequence of moral development in which each each stage is
characterized by moral reasoning that is increasingly more
universally applicable, logically consistent, and rationally
defensible.[12] He suggests that there are universal standards
for moral reasoning. Thus an apparent moral difference
between a polygynous culture and a monogomous one might
be explained by the fact that large numbers of men in the
polygynous culture were killed off by disease which resulted
in a surplus of women who wanted to marry. That community
then judged polygyny right because it was the only way to
secure a husband for every woman who wanted one and thus was

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[12]See Lawrence Kohlberg and Eliot Turiel, _Moralization
Research, the Cognitive Developmental Approach_ (New York:
Holt, Rinehart, and Winston, 1971).

the only way to promote fairness and the general welfare, standards shared by the monogomous group. Kohlberg's sixth and highest stage of moral development consists of general principles of justice that are characterized by "logical comprehensiveness, consistency, and impartiality."

The extensive research of Kohlberg strongly indicates that, even on empirical terms, there may be reason to believe that just the opposite of descriptive relativism actually is the case. That is, there appear to be fundamental moral principles to which everyone would ultimately agree. The factual presuppositions of ethical relativism, then, are anything but certain. And thus relativism cannot rule out the possibility of what it explicitly denies, namely, universal moral principles.

In discussions of educational issues, persons who knowingly or only vaguely hold a relativistic view of ethics are prone to be open-minded to the point of absurdity. With them one value judgment is as good as the next. For example, should schools intentionally try to cultivate such virtues as cleanliness, truthfulness, punctuality, promise keeping, and so on? "Well I don't know," a relativist might reply, "after all this sort of moral education smacks of middle class cultural imperialism." Relativism is an example of an otherwise noble virtue carried to an unfortunate extreme. Just as foolhardiness is an unwise and extreme form of the virtue of courage, relativism is tolerance and understanding carried to the extreme.

Naturalism

Another type of ethical theory that also has ancient historical roots is what may be called naturalism. Numerous moral philosophers have believed that ethical statements are essentially the same as statements which convey no normative judgments. The assumption here is that ethical statements[1] can be verified in a way comparable to that in which the statements of the empirical sciences can be confirmed.

There are diverse ethical theories of value and obligation which fall under the heading of naturalism. Though these theories differ with one another in many respects, they all share the common feature of regarding moral questions as being questions about human nature. Naturalists contend that things are good because it is human nature to want and choose them. And things are bad because people naturally dislike and avoid them.

Naturalistic ethical theories differ in substance accor-
ding to which natural characteristics of persons are specified as being the referents of ethical terms. Most naturalistic theories are hedonistic, in that they hold pleasure to be the highest value. But here too the meaning of "pleasure" varies from theory to theory according to what is counted as pleasure. On the one hand there is the broad view that the true test of pleasure is whether a

person actually chooses some course of action.[13]   The
belief here is that nothing more specific can be said
about pleasure than that it is the basis of all choices
of value. By contrast, other philosophers have discrimi-
nated among pleasures and said that some pleasures are of
greater moral merit than others. The following are two
of the more famous variations on the naturalistic theme.

Aristotle held that, while people may take pleasure
in different things, the morally best pleasures are those
in which the "practically wise man" delights.[14] These, he
believed, were those pleasures which complete the "distinc-
tive nature of man"--this distinctive nature being reason.
The practically wise man was one who had developed the
theoretical ability to choose between extremes (for example,
vanity and humanity, or cowardice and rashness), and who
had developed the practical ability to attain his wants.
For Aristotle everything in the universe had a specific
function or role which it ought to play, depending upon
the kind of thing it was. The word "virtue" was used by
him in much the same way we use the word "function" today.
Thus for Aristotle the virtue of a knife was to cut things,
the virtue of a hammer to drive home nails, and the virtue

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[13]See, e.g., Abraham Edel, "Naturalism and Ethical
Theory," Naturalism and the Human Spirit, ed. Yervant H.
Krikorian (New York: Columbia University Press, 1944),
p. 69.

[14]Aristotle, Nicomachean Ethics, 1175^a21-1176^a29.

of man was to be rational. At the heart of this argument
is the contention that because man is unique in the world
insofar as he possesses reason, the greatest good or end
for man is the use of his reason--either through specu-
lation of a philosophical sort or in conducting the affairs
of his daily life in a fashion so as to avoid extremes.

John Stuart Mill is another famous figure in the
naturalistic tradition. Mill's philosophy of Utilitarianism,
which he learned from his father James Mill and from Jeremy
Bentham, equated "good" with "pleasurable" and "right"
with that course of action most likely to result in the
"greatest happiness for the greatest number." He admitted
that his principle of utility could not be proved logically,
but he believed that this fact presented no real flaw in
his theory.

> To be incapable of proof by reasoning is common to
> all first principles; to the first premises of our
> knowledge, as well as to those of our conduct.[15]

But Mill believed that the preponderance of evidence was
on his side.

> The only proof that a sound is audible is that people
> hear it; and so of the other sources of our experience.
> In like manner, I apprehend, the sole evidence it is
> possible to produce that anything is desirable is that
> people do actually desire it. If the end which the
> utilitarian doctrine proposes to itself were not, in
> theory and in practice, acknowledged to be an end,
> nothing could ever convince any person that it was so.
> No reason can be given why the general happiness is
> desirable, except that each person, so far as he believes
> it to be attainable, desires his own happiness.[16]

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[15]John Stuart Mill, Utilitarianism (New York: The
Liberal Arts Press, Inc., 1957), p. 44.

[16]Ibid.

In short, the argument here is that happiness is desirable for the reason that it is naturally desired.

Mill goes on to conclude that it is always one's duty to act so as to produce the greatest amount of happiness for the greatest number of people. Now it might be objected that this inclusion of the notion of duty to others (that is, the greatest happiness for the greatest number) brings something into play beyond naturalistic reasoning per se. Part of this objection has merit, but it is essentially incorrect. It is true that Mill's position is fundamentally different from egoistic hedonism. The latter is a naturalistic ethic concerned onely with self-satisfaction, whereas Mill adds a principle of justice. It is, however, a naturalistic theory of justice based on naturalistic reasoning. Notice that the reason Mill gives as to why one should try to maximize happiness for the greatest number instead of for oneself only is that we are naturally inclined to do so, that is, because of,

> ...the desire to be in unity with our fellow creatures, which is already a powerful principle in human nature, and happily one of those which tend to become stronger, even without express inculcation, from the influences of advancing civilization.[17]

Several problems of naturalism in general and of Aristotle's and Mill's theories in particular deserve attention. One problem with the view that empirically observable natural characteristics of human beings are the

[17]Ibid., p. 40.

only proper referrents of ethical terms is the implication that ethical disputes can be resolved by counting. That is, it can be found out whether an act is right or wrong simply by counting the number of people who do or do not like the idea of the act being done and then comparing sums. While public opinion is often a source worthy of consultation in ethical disputes, experience suggests that minorities sometimes are in the right. Indeed, it is a fact of our experience that the view of a few moral out-casts often subsequently becomes the view of the majority. There must, therefore,be some evaluative criteria for judging actions other than the counting of heads.

A similar objection to naturalism is one which says that, as long as moral goodness is defined in terms of human nature, there is no basis for evaluating human nature itself. To those who view human nature as a completely fixed constant and as a moral paradigm, this objection falls on deaf ears. But to those who view human nature as being malleable to a large estent, this objection is of paramount importance, since their task then becomes one of shaping our environment and experiences so as to produce better people.

Mill's utilitarian prescription to maximize pleasure for the greatest number presents special difficulties. As Moritz Schlick once pointed out, Mill's position,

...makes sense only if he can tell us exactly what it means to say, 'A is three-and-a-half times as happy as B.'[18]

Another problem with Mill's position is its apparent allowance of acts of cruelty which we would ordinarily consider to be immoral. For example, if the happiness of the majority could be shown to be best served by the enslavement of a minority, this would seem to be permissible--indeed obligatory--on utilitarian terms. While it is true that Mill's political tracts show him to have been completely opposed to such acts of tyranny,[19] there is nothing in his ethical theory that would rule them out.

Aristotle's statements about man's unique nature also raise some special problems. Empirical generalizations concerning man's unique natural properties do not, of themselves, provide a basis for establishing any ethical imperatives. While the natural characteristics of man must be taken into consideration in any discussion of the good and the right, more is required than observable facts alone. In the case of Aristotle's naturalistic theory, once the implicit notion involved here that man should develop and use those capacities in which he differs from the rest of the animal world is made explicit, some disturbing consequences follow. For example, as R.S. Peters

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[18]David Rynan (trans.), Problems of Ethics, by Moritz Schlick (New York: Prentice Hall, Inc., 1939), p. 89.

[19]See, e.g., John Stuart Mill, On Liberty (New York: The Liberal Arts Press, Inc., 1956), pp. 114-149.

has noted, man is also the sole possessor of a prehensile thumb.[20] A part of the good and virtuous life for man, therefore, must be the use of his thumbs.

In defense of Aristotle, it may be replied that there are reasons why man ought to develop and utilize his rational potentialities. Aristotle would have made a more compelling case had he cited these reasons and not relied on his argument from "uniqueness." He may have thought it unnecessary to do so, however, since the question of why one ought to follow reason can only be answered tautologously. Nevertheless, it is a tautology worth remembering. The point is tautologous because "following reason" ordinarily means "doing what is supported by the best reasons." Hence to ask "Why should I follow reason?" is equivalent to saying "Tell me the reason why doing what is supported by the best reasons is doing what is supported by the best reasons." It is not unlike saying "Tell me why I should think a triangle has three sides."[21] The point is that anyone who either wants or gives a justification of rationality is already committed to its use whether he realizes it or not. This is so since the notion of justification (that

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[20]R.S. Peters, Ethics and Education (Atlanta: Scott Foresman and Co., 1966), p. 26.

[21]The above account of what it means to "follow reason" is a synoptic interpretation of the chapter entitled "Why Should We Be Moral?" in Kurt Baier, The Moral Point of View (New York: Random House, 1965), pp. 138-162.

is, giving good reasons in support of some proposition
and replying to objections against it) is really a notion
from within the framework of rationality (that is, doing
what is supported by the best reasons). Thus there is
something almost incoherent about asking for or giving
a justification of rationality, insofar as to do so is to
try to stand outside the framework of rationality while
remaining inside.

Aristotle's questionable argument from uniqueness
brings into focus the central problem of naturalistic
theories of ethics in general. Naturalists insist that
conclusions about what men ought to do can be inferred
from descriptions of what man is. But it is axiomatic
in the study of logic that no elements may appear in a
conclusion that did not first appear in the premises from
which the conclusion was deduced. The problem with natur-
alism is that it deduces moral conclusions from empirical
statements which contain no moral judgments.[22]

In the case of Mill's Utilitarianism, for example,
this problem can be seen readily if his argument is set
forth in symbolic terms. If we let P stand for pleasure,
D^1 for desired, and D^2 for desirable, it can be seen that
Mill is arguing that P is D^1 and therefore P is also D^2,

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[22]This logical problem of naturalism is commonly
referred to as the "naturalistic fallacy." For a more
complete account of this problem see William K. Frankena,
"The Naturalistic Fallacy," Mind, XLVIII (October, 1939),
465-477.

without first explaining why D^1 is equivalent to D^2 or what necessarily connects the two.

As a philosophy of education and a basis for viewing educational policy issues, naturalism offers both strengths and weaknesses. On the one hand, naturalists are quick and correct to point out that education should address itself to many of the observable wants and needs of mankind, such as self-preservation, economic self-sufficiency, parenthood, maintenance of satisfactory social and political relations, and the ability to obtain and enjoy leisure.[23]

However, many naturalists seem to think that they can tell us exactly what _ought_ to be done in educational issues by simply observing what most people seem to desire, irrespective of how well thought out their various desires may be. For example, busing for desegregation must be a bad policy, since most people are against it. This may seem a valid enough argument at first blush, but again, there is a categorial difference between descriptive and prescriptive assertions. People are not simply behaving organisms. People possess discerning and effective mental powers which enable them through deliberation to see the inconsistencies among some of their desires and acts. There is nothing in naturalistic reasoning _per se_ which requires that this mental side of human nature be overlooked. To their credit, Aristotelians do not overlook it. Most naturalistic thinkers,

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[23]These are the aims of education as seen by one of the more famous naturalistic philosophers of education, Herbert Spencer. See Herbert Spencer, _Education: Intellectual, Moral and Physical_ (New York: D. Appleton, 1887).

however, are inclined to focus on the strictly observable, behavioristic side of man. Hence today we have educational aims being reduced to "behavioral objectives." Leaving aside all of the well known deficiencies of behavioral objectives, it suffices to say that this kind of naturalism is a one-sided, mechanistic, and earth bound view of man and education.

The narrowness of naturalism can be seen even within its own claims. For example, Herbert Spencer, like most educational naturalists, believed that scientific knowledge was the be all and end all of all possible curricula. But on what nonquestion-begging basis can this educational value be established? The basis for this claim in Spencer's work is that science can best equip us for pleasurable leisure activities. No doubt anatomy, physics, and psychology do enhance one's awareness and appreciation of such leisure activities as sculpture, drama, music, sports, poetry, and so on. But it is also true that there are many persons who have rich leisure experiences who are rather scientifically naive. This suggests that science, even on the naturalistic view of what knowledge is good for, is only one important area of human knowledge. The point to be gleaned from all this is that, in educational contexts as well as others, naturalists often tend to overemphasize the observable, the measurable, the behavioral, the desired, while overlooking the mental, the conceptual, the desirable. Like emotivists, most naturalists wrongly overlook the

free and rational side of man. They both fail to recognize
that there may be more of a rational basis to morality
than simply emotions (as emotivists assume) or readily
observable behavior (as naturalists assume). What that
something more is may begin to come into focus in the re-
mainder of this chapter and even more so in Chapter III.

Nonnaturalism

In contrast to naturalistic theories, there are two
types of ethical theories which are known collectively as
nonnaturalism. Separately they are called intuitionism and
cognitivism.

Intuitionism

Unlike naturalists, intuitionists do not rely on em-
pirical verification for the justification of ethical
judgments. Instead it is argued that ethical judgments
are self-evidenct and hence not in need of empirical con-
firmation. People are able to distinguish right from wrong
intuitively. That is, people know they have an obligation
not to harm others, for example, even though they are not
exactly sure why their obligation is what it is. They
know they have such an obligation, but they do not have any
precise rational insight into its deriving from applicable
moral principles. Ethical awareness for the intuitionist is
not the equivalent of logical truth. Rather it is more
like spontaneous apprehension whithout the use of logical
analysis.

The significant departure made by intuitionism
from the rest of the theories discussed thus far is that it
brings into play the idea of objective morality. What is
known intuitively is not a creation of individual men's
minds. Intuition grasps its objects as they are. Notice
too that, while a true moral judgment may reveal the atti-
tude or emotion of the agent, the truth it asserts is
independent of these affects. Nor do intuitionists believe
that intuitions are culturally relative.

Intuitionist theories vary in content according to
what is said to be intuited by the philosopher in question,
but all intuitionist theories share the bare outlines de-
scribed above. One of the more, if not the most, famous
philosophers to have held such a position was G.E. Moore.
In his Principia Ethica he argued that goodness was a
self-evident notion, subject neither to empirical verifica-
tion nor reductive analysis. Goodness, he contended, was
an indefinable, unanalyzable property, just as yellowness
is a property which things either possess or lack.

> Consider yellow, for example. We may try to define
> it, by describing its physical equivalent; we may
> state what kind of light-vibrations must stimulate
> the normal eye, in order that we may perceive it.
> But a moment's reflection is sufficient to shew that
> those light vibrations are not themselves what we
> mean by yellow. They are not what we percieve. In-
> deed we should never have been able to discover their
> existence, unless we had first been struck by the
> patent difference of quality between the different
> colors. The most we can be entitled to say of those
> vibrations is that they are what corresponds in space
> to the yellow we actually perceive....
>
> It may be true that all things which are good are
> also something else, just as it is true that all things

which are yellow produce a certain kind of vibration in the light.... But far too many philosophers have thought that when they named those other properties they were actually defining good; that these properties, in fact, were simply not 'other,' but absolutely and entirely the same with goodness.[24]

At the risk of belaboring the obvious, it must be said that this is an explicit criticism by Moore of those who equate the things accompanying ethical judgments with the judgments themselves. The attack was aimed at naturalists, but it speaks to emotivists as well.

There are several notable difficulties with intuitionism. First, the word "intuition" is often used to give increased credibility to apprehensions that otherwise and more precisely would be called hunches or guesses. If someone were to say, "My guess is that euthanasia is wrong," someone else might reply "Stop guessing and think about it." Yet if the same statment is uttered substituting only the word "intuition" for "guess," it might be wrongly assumed that the speaker is not whistling in the dark but is asserting a profound moral insight. The point is that often the word "intuition" lends grandeur to the most baseless conjectures which could just as appropriately be called hunches or guesses instead of intuitions.

The greatest defect in intuitionism is its inability to facilitate the resolution of moral issues. For instance, in a discussion about the relative merits of trying to

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[24]G.E. Moore, Principia Ethica (Cambridge, England: Cambridge University Press, 1966), p. 10.

teach specific moral virtues in schools, a person might contend that it would be right to try to foster such virtues as truthfulness, respect for others, and so on because he has an "intuition" that these are desirable character qualities. When pressed to explain or defend their value preferences such persons will simply reply that they intuit that these are defensible values. So far so good. But what if someone else intuits that persons with white skin need not respect the interests of nonwhites?

A fair standard to impose on any ethical theory is to ask how well it explains the facts of what we would typically consider to be moral concerns and how free from contradictions its applications are. By this gauge, intuitionism is a failure. All moral judgments cannot be correct, for many contradict one another. If intuition is the ultimate source of moral judgments, how can intuitionism resolve moral disputes? If there is a criterion for distinguishing a valid intuition from an invalid one, what is it? One intuitionist, Henri Bergson, tried to remedy this difficulty by insisting that the intuitions of superior people (such as Gandhi, Tolstoy, Jesus, and others) can be presumed to be correct.[25] But this presumption, he said, rested on his intuition that these were good men whose intuitions could be trusted. And it thus

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[25]Henri Bergson, The Two Sources of Morality and Religion (Garden City, N.Y.: Doubleday and Co., Inc., 1954).

involved vicious circularity, since what was wanted was a criterion for judging the correctness of intuitions. In brief, an inherent shortcoming of intuitionism is its lack of a coherent means for resolving ethical disputes.

Because intuitionism can provide no procedure for resolving moral disputes, it often gives rise to the subjectivism that, in theory, it denies. For without criteria for resolving disputes, individuals may take their own moral intuitions and those of persons who agree with them to be infallible. What is really right, then, becomes that which is intuited by me, or fellow wearers of the old school tie, or fellow dairy farmers, or fellow nazis, or whoever.

Intuitionism, on first blush at least, is an appealing ethical theory. It is predicated on beliefs commonly accepted, namely, that ethical judgments are not merely emotive whims, or culturally relative folkways, or merely observable facts. Intuitionism is appealing also in that it is based on a feature of our ordinary ethical experience, namely, that we do have insights (intuitions) into ethical issues, yet we do not have in mind any clear cut moral principles when we have these insights. That is, we know, for example, that stealing is wrong, but we are not exactly sure why. At least we are not usually able to explain extemporaneously the principles upon which our specific moral judgments are based. I suggest, however, that our usual inability to produce such an explanation immediately

is not proof that such an explanation is impossible or that rational moral principles do not exist.

Cognitivism

The other of the two major types of nonnaturalist theories is commonly called cognitivism. On this view ethical knowledge is likened to logical or mathematical knowledge. The intuitionist view that the good and right are objective is shared by cognitivists. The intuitionist believes that ethical knowledge is apprehended without the use of critical reason and there are no anterior principles upon which intuitions are founded. Cognitivists assert that ethical principles which are both necessarily true and accessible to human reason do exist. These principles are not exactly true by definition, rather we have a rational insight into their necessity, specifically, insight into the moral necessity of respecting other persons. For example, when we reflect on the matter, we see that it is necessarily the case that we have a duty to keep our promises to others. Perhaps the most famous philosopher to have proposed such a theory is Immanuel Kant.

The preceding discussions of the ethical theories of Ayer, Stevenson, Sumner, Aristotle, Mill, and Moore have been brief. Such brevity was necessary lest the present study become a multivolume work. The ethical theory of Immanuel Kant will be treated in more detail. This is fitting inasmuch as Kant has had tremendous influence upon nineteenth and twentieth century ethical

> It is impossible to exaggerate the importance of grasp-
> ing the supreme principle of morality; and because
> Kant's _Grundlegung zur Metaphysic der Sitten_ treats
> of this topic, and this topic alone, it is an indispensi-
> ble book for all who profess to think seriously about
> moral problems.[26]

Yet even the space allocated to Kant here can by no means

do him justice. His theory is tied to intricate epistemo-

logical and metaphysical speculations that cannot be expli-

cated fully here. The best that can be done is to try to

sort out the essential features of Kant's theory by explor-

ing (1) what meaning he attached to ethical statements, and

(2) what he considered to be the fundamental principles of

ethics.

As concerns the meaning of ethical statements, Kant

believed that they refer to the goodness of a person's _will_,

that is, a person's motives and intentions. "Nothing can

possibly be conceived in the world, or even out of it,

which can be called good without qualification, except a

good will."[27] What makes a person morally good or bad is

not _what_ he does, but _why_ he does it. A man who repays

his debts solely out of fear of imprisonment is not a

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[26]H.J. Paton, _The Categorical Imperative_ (London:
Hutchinson and CO., 1967), p. 15. _Grundlegung zur Meta-
physic der Sitten_ is the German title of Kant's most famous
work on ethics, _Fundamental Principles of the Metaphysic
of Morals_.

[27]Thomas K. Abbott (trans.), _Fundamental Principles
of the Metaphysic of Morals_, by Immanuel Kant (New York:
The Liberal Arts Press, Inc., 1949), p. 11.

virtuous man, he is merely prudential. And the man who pays his debts out of unreflective inclination (say as a result of operant conditioning alone) acts only in accordance with duty, not from duty. Persons act morally only when they recognize that all people ought to act similarly because it is their duty to so .

Proper conduct is not primarily a matter of attaining happiness. Happiness may accompany the good life; but since all people are inclined to seek happiness, it follows from Kant's distinction between inclination and duty that it can never be one's duty simply to promote his own happiness. The essence of morality consists in obeying the fundamental principle of morality and thereby fulfilling the obligations which are binding upon us as rational beings. What are these obligations? Or, more to the point, what is this fundamental principle of morality?

If this principle determines what is right and wrong independently of what people happen to want or not want, there can be no "ifs" about its commands. That is, statements of the sort "If you want true happiness, engage in so and so" are ruled out. To emphasize the nonhypothetical and necessary nature of morality, Kant called the fundamental principle of ethics the "Categorical Imperative." Kant formulated the Categorical Imperative in a number of ways, each one emphasizing some particular aspect of the imperative. The following are the five major formulations,

1. Act only on that maxim whereby thou canst at the same time will that it should become a universal law.[28]

2. Act as if the maxim of thy action were to become by thy will a universal law of nature.[29]

3. So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only.[30]

4. ...act that the will could at the same time regard itself as giving in its maxims universal laws.[31]

5. ...every rational being must so act as if he were by his maxims in every case a legislative member in the universal kingdom of ends.[32]

All of the above formulations assert the same moral law. The differences between them are only differences of emphasis. The first formulation makes the point that universalizability is the essence of morality. The practical effect of this formulation is to proscribe arbitrary exceptions in favor of one's own predilictions. Hence one is enjoined to act only maxims (rules of conduct) that go for everyone. That is, a particular rule of conduct is permissible (universalizable) if, and only if, one could agree that everyone confronted with similar circumstances could and should do the same thing.

The second formulation brings into play a helpful guide for aid in moral decisions. One need only ask "What would happen if my action were to become a universal law of human nature such that everyone would necessarily act

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[28]Ibid., p. 38.   [29]Ibid.   [30]Ibid., p. 46.

[31]Ibid., p. 51.   [32]Ibid., p. 55.

on it? Would this law destroy itself if it were so imposed?"
Kant, of course, is being metaphorical. If moral laws were
"laws of nature," questions of obligation would be moot.
He is merely raising the idea of natural law here as a
practical guide for making decisions. This formulation asks
us to stop and think about what would happen if everyone
did what we are about to do.

For example, what would happen if everyone were free
to break his promises when this seemed the expedient thing
to do? The logical and practical effect would be that
there could no longer be such an institution as promise
making. Arbitrary promise breaking is not a universaliza-
ble maxim because it entails willing (1) that it be possible
to make promises and have them credited (Why else make
them?), and (2) that everyone be free to break promises
when it suits his purposes, thus discrediting the idea of
promises. Notice that what is morally wrong with universal
promise breaking is not just the unpleasant results that
would follow, but, more importantly, the logical inconsis-
tency of the idea itself. On this reasoning Kant argued
that promises ought never to be broken. Here perhaps he
went too far. I shall have more to say about absolute rules
shortly.

The third formulation is a further elaboration of what
"universalizability" means and how it should serve as a
guide to conduct. If one acts only on maxims that go for
everybody, then one's choices are limited significantly.

One is limited to those acts which one would not object to
having done by everyone and which could, without logical
contradiction, be done by everyone. To act otherwise is
to particularize arbitrarily one's actions rather than
universalizing them. In short, one's choices are limited
by a logical respect for the equality of others. When we
employ someone (say, a barber, plumber, or an attorney), we
treat him as a means. But this is not what Kant wishes to
proscribe in this third formulation. Rather it is the
treating of another person only as a means which is immoral.
To treat a person as a means only is to disregard that
person's equality of capability to freely legislate the moral
law (that is, the ability to recognize and respect the inter-
ests of others). To treat a person as a means only is to
treat him simply as a commodity or an object. Examples of
such treatment would be slavery and other forms of role
stereotyping based on irrelevant criteria. For instance,
it would be immoral on this view to regard women as mere
commodities whose sole reason for being is to cater to the
wants of men. This is so since women are capable of freely
legislating the moral law.

The fourth formulation takes up the apparent contra-
diction between freedom and reason. We have seen that
the moral law limits one's choices to those acts which are
universalizable. Thus far Kant has been speaking of the
moral law as if this "law" were one imposed on us from
some external source. He now wishes to rectify that impres-

sion. It is _our will_ that makes the moral law. This is
Kant's solution to the apparent conflict between freedom
and reason. If people are free, it seems they may do whatever
they wish. But, if they must follow the dictates of reason,
they must act in certain specifiable ways.

In only a slight overstatement, R.M. Hare has called
this issue "the source of nearly all the central contro-
versies of moral philosophy."[33] Kant argues that freedom
and reason are not mutually exclusive. We are free to disobey
the moral law, insofar as we _can_ do so. But we ought to
obey it. And, more importantly, it is of our own making
and hence can hardly be thought of as an abridgment of
our freedom. We obey the moral law because we know that
we contradict ourselves if we do otherwise. This makes
it clear that the whole idea of morality presupposes that
truly moral thought and action are autonomous. Kant is
not appealing to any external authority such as Gandhi,
Tolstoy, or Jesus. This view of morality presupposes that
men are self-legislating rational beings.

The fifth formulation is a recapitulation of all the
previous ones, especially the third. The fifth formulation
serves as a practical guide for doing what the third one
prescribes. It asks us to think of our fellow persons
as forming a community of rational beings, each of whom

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[33]R.M. Hare, _Freedom and Reason_ (New York: Oxford
University Press, 1963), p. 3.

considers every other person as an end in himself and not
as a means to be manipulated. Now the "kingdom of ends"
is not actual. It is an ideal. People unfortunately often
do use their fellows simply as means. Just as "natural law"
was used as a metaphor, the idea of a kingdom of ends is
now being used metaphorically. This kingdom of ends includes
both "rational beings as ends in themselves, and also the
particular ends which each may propose to himself,"[34]
provided that no special end shall obstruct the attainment
by others of their chosen ends.

A few summarizing remarks seem in order. At the heart
of Kantian ethics is the notion that moral deliberation
requires not simply a consideration of what one wants or
what people generally want, but a consideration of what is
right. And what is "right" is what is rational. What is
rational is a course of action not dictated by arbitrary
fiat, but one which the agent could consistently advocate
for any person in similar circumstances.

The political implications of Kant's ethics point to
a republican form of government. Indeed, in his book,
Perpetual Peace, Kant argues for a state in which citizens
are treated as equals in the eyes of the law.[35] This does
not mean that all people should be treated as if they

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[34]Kant, Fundamental Principles, p. 50.

[35]Lewis W. Beck (trans.), Perpetual Peace, by Immanuel
Kant (New York: The Liberal Arts Press, Inc., 1957),
pp. 312-313.

were alike in every respect, or that the state should
try to make them more alike. To treat persons equally before
the law, again, means that what goes for one goes for all. ✓
It means respecting individual differences and encouraging
the development of all capacities that do not lead to the
frustration of other persons' interests. And such a state
will not permit some citizens to be treated solely as means
to the welfare of others.

Several objections to Kant's ethics deserve attention.
First, it has been argued widely that Kant wrongly ignores
the results of action when he claims that the will is the
only proper object of praise and blame. Critics of Kant
who take this tack usually say things like: "It is obviously
bad if someone is killed, irrespective of whether the death
resulted from an accident or premeditated murder." To this
it may be replied that it is, of course, an unhappy event
when anyone is killed by the actions of another. But the
fact that we would not ordinarily morally blame someone for
taking someone else's life involuntarily suggests that the
will (motives and intentions) and not results is the primary
object of evaluation in our ordinary moral thought and language.
Similarly, we ordinarily would not praise someone whose clear
intent was to do evil but whose actions resulted in the saving
of lives. And when we stub our toe on a chair and then
foolishly proceed to curse the chair, our cursing is mis-
directed precisely because the chair lacks the ability to
will. These cases make it clear that voluntary (freely

willed) action is the subject matter of ethics and the
proper object of moral evaluation.

It should also be pointed out that Kant actually does
take results into account in his theory when he insists
that maxims be tested for their universalizability. This
recognition of the importance of results can be seen in
several places in Kant's ethical writings, for example, in
the previously discussed issue of whether it is right to
break promises. There Kant argues that expedient promise
breaking is not a universalizable maxim because,

> ...it would necessarily contradict itself. For
> supposing it to be a universal law that everyone when
> he thinks himself in difficulty should be able to prom-
> ise whatever he pleases, with the purpose of not keeping
> his promise, the promise itself would become impossible,
> as well as the end that one might have in view in it,
> since no one would consider that anything was promised
> to him, but would ridicule all such statements as
> vain pretenses.[36]

That Kant is anticipating the _results_ of universal promise
breaking here is made plain by his repeated use of the
auxilliary verb "would." Thus, while he downplays the
importance of results, he does not wholly ignore them.
The role of results in his theory is an anticipatory and
ideational one, as opposed to the more important role they
play in other theories, such as in one form of utilitarianism
which holds that men are moral or immoral precisely insofar
as their _acts_ do or do not _result_ in the greatest happiness
for the greatest number. Notice that, for Kant, it is not
the unpleasant results _per_ _se_ of universal promise breaking

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[36]Kant, _Fundamental Principles_, p. 40.

that make it wrong. It is the fact that universal promise
breaking is a self-contradicting maxim that makes it wrong.

Though the case against Kant for wrongly downplaying
the significance of results is a weak one when formulated as
it was above, there is a sense in which Kant does seem
to overemphasize the purely ideational side of morality.
I believe that Kant's concept of the will wrongly ignores
the importance of action in ethics. Kant insists that the
only proper object of moral judgment is the will, which
for him means motives and intentions. For reasons just
elaborated this position is essentially correct. Yet I
believe Kant would have done better to include action and
sincere attempts at action as equally important ingredients
in his notion of the will. This is so, since even on
Kant's view a good will is good only insofar as it aims
at universalizable action. As Hastings Rashdall and others
have pointed out, the subject matter of ethics is vol-
untary action.[37] The whole notion of "ought" implies "can."
To say seriously that someone ought to do X is to presup-
pose that X can be done. And the words "ought to do "
and "can be done" signify that moral thought and discourse
are about action. We ordinarily infer that someone has
a good will only when that person actually does and will do
the right thing or at least resolutely attempts and will
attempt to do so. We ordinarily take it to be a mark of

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[37]Hastings Rashdall, Theory of Good and Evil II
(Oxford, England: Oxford University Press, 1924), p. 423.

immaturity, neurosis, or immorality (in the case of sane adults) when someone consistently acts so as to contravene the interests of others and then claims that he did not mean to do so. It is through deliberation _and_ _action_ that men ultimately express their regard for moral norms. In this connection, John Dewey's description of the will seems a more accurate one than Kant's. "Will or character," according to Dewey, "_means_ _intelligent_ _forethought_ _of_ _ends_ _and_ _resolute_ _endeavor_ _to_ _achieve_ _them._"[38]

Another objection to Kantian ethics is that Kant seems to think he has proven more than he actually has. Kant sets forth a few particular and absolute rules, such as that promises ought _never_ to be broken. But might there not be cases in which it would be right to break a promise and thereby, for example, help a person in trouble? Kant seems to have overlooked the importance of the facts of the case in moral deliberation. By "facts of the case" I mean the circumstances out of which the moral dilemma has arisen and the best available evidence as to what the probable consequences would be of choosing each of the alternative courses of action available. Given certain circumstances it may be one's duty to break a promise. Kant would have done better to say that we have a _prima_ _facie_ duty not to break a promise, but that there might be

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[38]John Dewey and James H. Tufts, _Ethics_ (New York: Henry Holt and Co., 1923), p. 246, italics in the original.

circumstances which could justify the breaking of a promise. And as long as the reason a person cites as excusing him from keeping his promise is one that could be cited by any comparable person in similar circumstances without throwing the idea of promise making into disrepute, then this would not seem to violate the categorical imperative. Thus, while the objection to Kant's few absolute rules is valid, the objection does no harm to the heart of his theory, namely, the categorical imperative and universalizability.

C.D. Broad has taken issue with Kant over the question of whether subjective inclinations can be relevant to moral judgments. Broad contends that, while Kant is basically correct in emphasizing duty as opposed to one's personal likes and dislikes, there are cases in which inclinations should be taken into consideration in the making of moral judgments.[39] For example, choosing an occupation is in some respects a moral choice, since one's performance on many sorts of jobs is likely to affect the welfare of others. Teachers, for instance, clearly affect the lives and welfare of their students. They either are or are not enthusiastic about their subjects and jobs. They either do or do not try to find out the interests of their individual students and teach by building upon those interests, and so on. Is it not reasonable to conclude that those considering

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[39]C.D. Broad, _Five Types of Ethical Theory_ (New York: Harcourt, Brace and Co., 1934), p. 124.

becoming teachers should take into account their own likings or dislikings of teaching? Such inclinations are sure to affect one's future teaching performance and the welfare of one's students. There do seem to be cases, then, in which inclinations may be relevant ingredients in making moral judgments. Here again, inclinations are a part of what might be called the facts of the case.

John Mothershead has raised a complex logical objection to Kantian ethics. If valid, this objection would deal a serious blow to Kant's theory. But this objection, I believe, commits something akin to what logicians call the fallacy of equivocation, that is, the objection is persuasive because of a subtle manipulation of the meaning of key words involved. For this reason, it is appropriate that Mothershead's objection be presented here verbatim:

> Kant argues that our obligation is not only to do certain things and to abstain from others but also to do or abstain for duty's sake--that is, from a good motive. He also argues that we must be able to do whatever it is our obligation to do. It follows that we must have control not only of our actions but also of our motives. But this is not true. We may be able to pay our debts whether we want to or not, but we cannot produce at will a sense of duty to pay our debts if we do not in fact have this motive. We conclude that either we do not have the duty to act from duty or we are not always able to do what it is our duty to do.[40]

This objection goes to the very heart of Kantian ethics. For what it purports to show is that we have no duty to

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[40] John L. Mothershead, Jr., Ethics: Modern Conceptions of the Principles of Right (New York: Holt, Rinehart, and Winston, 1955), p. 284.

act from duty, because we are not able to generate immediately the desire to do so.

Ludwig Wittgenstein's definition of philosophy as "a battle against the bewitchment of our intelligence by means of language" serves well here as a warning against the subtle changes in meaning that make this objection seem so plausible.[41] Notice that Mothershead has mistakenly made "motives" mean "wants." When we realize that motives for Kant were not wants (inclinations) but universal attitudes, the objection falls. Kant does indeed say that what makes an action right or wrong is the agent's motive. But "motive" here refers to whether the agent knowingly made universalizability a criterion in choosing his course of action. Mothershead has confused the ability of the will to evaluate rationally courses of action in terms of their universalizability with the inability of the will to alter instantly the inclinations. The will cannot change (not immediately anyway) what we desire, but it can tell us what is desirable. It is from this latter capacity of the will that our moral obligations derive.

H. J. Paton's accolade which was used to introduce Kant's theory serves equally well as a summary. To paraphrase Paton, Kant treats of the supreme principle of morality, and this principle is indispensible for anyone

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[41]G.E.M. Anscombe (trans.), _Philosophical Investigations_, by Ludwig Wittgenstein (Oxford, England: Basil Blackwell and Mott, Ltd., 1958), p. 47e.

who wants to think seriously about moral problems. This
is to say that Kant's aim was not to present a few particu-
lar moral rules, but rather to provide a more comprehensive
fundamental principle of conduct which applied everywhere
and always, one which could recommend itself no matter
what the situation and which was not too vague to be applied
to concrete cases. To a certain extent, he seems to have
succeeded. Aside from his questionable inclusion of a
few particular absolutes (such as always keeping promises)
and his underemphasis of action and the facts of the case,
his principle of universalizability is an important step
in attempting to establish a rational objective basis for
ethics.

In this chapter we have seen that only one of the
traditional ethical theories offers much of an objective
basis for the resolution of moral issues. And this is
a fact well worth emphasizing. For one of the central
functions of the idea of morality as we ordinarily think
and speak of it is to enable us to resolve moral issues
peacefully and wisely. Emotivists consider ethical language
to be only subjective emotive utterances without any objec-
tive basis. If we adopt relativism, how shall we resolve
moral issues, if different moral points of view are equally
valid? If we embrace naturalism, how shall we determine
which of man's natural capacities ought to be prized most
highly? And how shall we convert descriptive accounts of
human nature into defensible prescriptive statments. And,

if intuition is to be our guide, how shall we choose be-
tween conflicting intuitions?

Kant's cognitivist theory offers at least a partial
basis upon which moral issues can be resolved objectively.
But at the stage of development at which Kant leaves his
principle of universalizability it seems to require only
consistency on the part of moral agents. That is, at the
level of analysis at which Kant leaves his principle, he
seems to suggest that consistency is _the_ criterion against
which particular judgments should be morally evaluated.
Clearly the criterion of consistency is one which we _do_
presuppose in our ordinary moral thought and discourse.
This is exemplified by the fact that persons usually feel
compelled to defend apparent inconsistencies in their
moral judgments. A school principal who punished the
child of a poor black family severely for some act and
ignored the very same act when performed by a white child
would surely be accused by most persons as having acted
inconsistently and hence immorally. Such a principal, if
he were a staunch racist, might then attempt to justify
his conduct by claiming that, if he were black, he too
would be entitled to less freedom and subject to greater
penalties for misconduct. This defense presupposes, in a
fashion which would make Kant turn in his grave, that
consistency is all that is required by the concept of
morality. That is, the principal is presupposing that
consistency is not just a necessary feature of moral conduct

but that it is a sufficient account of what moral conduct is. While Kant's political writings indicate that he would have recoiled from the idea of consistently ignoring the interests of any class of persons,[42] his principle of universalizability as he explicates it seems powerless to show the racist the error of his ways.

If consistency is a sufficient moral criterion for evaluating conduct, then I may contravene the interests of any group of persons so long as I do so consistently. Since, however, such conduct is such as we would ordinarily consider to be immoral, a more complete account of the idea of morality must be established if this study is to succeed in establishing an objective basis for the fair and wise resolution of moral educational issues.

Taking a cue from the philosophers known loosely as "ordinary language analysts," I shall argue in the next chapter that any account of what moral reasoning ought to be like can be predicated only on what we ordinarily presuppose the idea of morality to be like. In short, I shall attempt to make more explicit what usually remain at the level of only implicit presuppositions in our ordinary moral thought and language. This so called "ordinary language" approach to philosophy is explained in Chapter IV in the section entitled "A Respect for Language." If this approach is successful in the instant concern of making clearer the

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[42]Kant, Perpetual Peace.

concept of morality, it will provide the most defensible
account of what moral reasoning ought to be like that I
can envision; for it will not defend the idiosyncratic
predilictions of any particular individual, but will instead
embody that which is tacitly presupposed by anyone who
wishes to live in a moral society.

CHAPTER III
SOME PRESUPPOSITIONS OF MORAL THOUGHT AND DISCOURSE

Apart from metaphysical presupposition there can be
no civilization.
--Alfred North Whitehead

In this chapter I am going to advance a distinctive
moral point of view which can be of benefit in trying to
resolve moral educational issues on a rational basis.
The philosophical methods that I shall employ will focus
on the nature of our ordinary moral thought and language.
Since one of the previously discussed ethical theories
also emphasized the nature of ethical language but came
to the conclusion that no rational basis for moral judgments
existed, I shall begin by briefly explaining the differences
between emotivism and the moral point of view to be advanced
here.

It is argued by emotivists that moral questions are
beyond the reach of rational discussion. They maintain
that ethical discourse is meaningless because it is emotional
and metaphysical, that is,unlike the language of the sci-
ences, it is not based on empirically verifiable facts.

But even science, like all human enterprises, has
its metaphysical presuppositions. What scientist, for

example, does not subscribe to the normative presupposition that knowledge is better than ignorance? There is also Alfred North Whitehead's point that, "All scientific progress depends on first framing a formula giving a general description of observed fact."[1] That is, for scientific inquiry to go forward, there first must be some speculative hypothesis advanced by the scientist, one that defines the questions to be asked and serves as a framework for interpreting data. Scientific observations only make sense within some conceptual framework which is in large measure speculative. Of course, as new knowledge is acquired, naive frameworks give way to ones which are more adequate. These, in turn, suggest new questions to be asked and new patterns of experiment.

No human endeavor can have meaning without such presuppositions. No person ever sees, thinks, or talks about the world other than through some conceptual framework, whether he is keenly aware of that framework or not. In this chapter I will not be proposing yet another ethical theory, rather I will be reporting on the conceptual framework that men have found to be necessary for a peaceful and fair social order. That is, I will try to make explicit the public presuppositions that are constitutive of the ideal of moral human conduct. Hence the principles to be explicated in this chapter are not simply the author's

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[1]Alfred North Whitehead, _Adventures of Ideas_ (New York: Mentor Books, 1960), p. 132.

moral philosophy, instead they are norms which have evolved
with man.   Our ordinary moral thought and discourse are an
evolutionary heritage of distinctions, connections, and
imperatives that men have found to be worth making over
generations.   These presuppositions about voluntary human
conduct (not unlike scientific presuppositions) are products
of the long test of survival of the fittest concept and hence
are more likely to be theoretically and practically sound
than anything that I or any philosopher might cook up at
his desk.

Now an ethical dilemma is one that issues in the ques-
tion, "What ought I to do?" It is what is ordinarily presup-
posed by anyone who seriously asks this question that must
be explored. One such presupposition is that there are
alternative courses of action available to the agent. A
second is that, among these alternative courses of action,
some would be right to do and others wrong. Why else ask or
wonder "What ought I to do?"

To presuppose that some acts would be right under the
circumstances and others wrong is to hold that it is possible
to give good reasons for choosing one course of action over
another. That is, one who asks seriously, "What ought I
to do?" presupposes that a reason for doing something cannot
be constituted simply by the arbitrary fiat of himself or
anyone else. For one who is deliberating seriously about
the relative merits of alternative course of action X as
opposed to course of action Y in order to choose between the

two is presupposing that there are features possessed by
X or Y that would make one of them a proper (morally per-
missible) choice. Hence there must be some general princi-
ple which renders the reasons cited for choosing either
X or Y good reasons or bad reasons.

To say that there must be this general principle is
only to say that what ought to be done in some particular
situation by some particular person ought also to be done
by any similar person in similar circumstances unless there
is a relevant difference in either the situation or person
in question. Once the need for a general principle is
recognized, the above principle must be accepted; for it is
only an explication of what is meant by "general."

The above principle is also an exemplification of what
has earlier been called universalizability herein. In the
section on Kant's ethical theory, "universalizability" was
seen to mean that what is right for one person to do in
a given situation must be right for any similar person in a
similar situation. It can now be seen that the standard
of universalizability is imbedded in the logic of our ordi-
nary moral thought and discourse. Universalizability casts
the bare outlines of the form that defensible moral reasoning
must take. That form is consistency. But this formal
criterion alone does not tell us enough.

As a formal principle, universalizability is only
one necessary (not a suffiecient) criterion for evaluating
voluntary action. It does not rule out many types of

immoral conduct, rather it only rules out <u>some</u> kinds of immoral conduct. All that it requires is consistency. If, for example, someone decides that all red haired people should be burned at the stake at age twenty-five, he does not violate the idea of universalizability as presently understood unless he burns some redheads before their twenty-fifth birthday or arbitrarily grants some other redheads a stay of execution. What is wanted is an additional criterion that will rule out certain kinds of treatment which, though they are ostensibly consistent, we would ordinarily consider to be immoral.

It has long been a standard objection to Kant's ethical theory that, because it is a purely formal one, adequate moral prescriptions cannot be said to follow from it necessarily. Given the level of development at which Kant leaves his principle of universalizability, this is essentially correct. But I now wish to argue that universalizability, if further explicated, actually does provide something more than the criterion of consistency. That something more is impartiality. "Impartiality" hereafter will refer to the idea that everyone has a <u>prima facie</u> right (that is, ought to be able) to fulfill his wants that do not involve injuring other persons.

The concept of impartiality requires further elaboration if it is to be shown that it is capable of ruling out immoral acts untouched by the criterion of consistency and that it is truly a part of the concept of universalizability.

Equality of rights requires that similar cases be treated similarly and different cases differently. But this is still only a formal requirement which admits of completely variable content, depending upon what differences between persons and circumstances are to count as being _relevant_.

Or previous study of traditional ethical theories brings to mind a few possible candidates for the title of "relevant differences." Utilitarians, for example, have held that features of persons, circumstances, or acts are relevant to morality insofar as they causally affect the production of happiness. But this position is subject to all the logical difficulties cited in the previous discussion of Mill's ethical theory.

According to relativists, which qualities of persons, circumstances, or acts are relevant to morality is to be determined by the moral code of some particular person or culture. And no code is thought to be any more valid than the next. Since, however, some of these codes might be such as we would ordinarily regard as immoral, to make no distinctions among moral codes is effectively to make no moral distinctions among actions. And hence, apart from the well known difficulties that beset relativism, it is clear that this general position, if correct, would make impossible one aim of the current work. For it is an aim of this study to investigate the possibility of there being an objective fundamental principle of ethics that is rationally defensible.

Now it may be recalled that the logic of our moral thought and discourse excludes that which is arbitrary. But any person's right-claim is arbitrary so long as he alone is permitted to decide what are to count as relevant differences between himself and others. (The term "right-claim" hereafter will refer to the claim made by someone when he claims that other persons ought not to interfere with the action for which his claim is made.) The only way to guard against such arbitrariness, and hence to establish a right-claim on a rational basis, then, is to restrict its content to what is necessarily and hence universally connected with its subject matter, as against what is left to the individual's unilateral whim. And the subject matter of ethics is voluntary human action.

No matter in how many ways a person in making his right-claims to act might choose to describe himself, the description which he _cannot_ reject is that he is a person with purposes that he wants to fulfill.[2] And it is this description that is necessarily and invariably connected with the category of voluntary human action. Hence I infer that every rational person must accept the generalization that all persons who want to fulfill their purposes have the _prima facie_ right to participate voluntarily and

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[2]The following discussion of the ethical implications of the normative structure of voluntary human action is derived in large measure from my understanding and interpretation of lectures delivered by Professor Alan Gewirth in a seminar entitled "Reason and Ethics" at the University of Chicago during the Winter Quarter of the 1971-72 academic year.

purposively in transactions in which they are involved. This
is so because reason prevents us from denying two similari-
ties among all mature persons, namely, their purposiveness
and rationality. "Purposiveness" here means the desire
to attain one's ends. And by "rationality" I mean the
practical ability to attain most of one's ends if not inter-
fered with by other persons and the theoretical capacity
to comprehend the equality of others with regard to their
like purposiveness and rationality. (Of course, these
descriptions are not completely true of the very young and
the mentally infirm. But when the liberty of such persons
is restrained it must be in proportion to the extent to
which and for the reason that they are incapable of protecting
or furthering their own best interests or are unmindful of the
legitimate interests of others.) Now our recognition of
these similarities among all persons evokes in us the
further realization that there must be some relevant differ-
ence between ourself and others before we can rationally
claim to be entitled to preferential treatment. Finally,
we come to see that the only way to avoid arbitrary claims
and conduct is to require that the relevant difference
cited as a justification for differential treatment among
individuals must be acknowledged and accepted by all of the
individuals whose interests are affected by the treatment
in question. This is only what is meant by an "objective"
criterion of moral judgment. Without it, rational morality
is impossible, and ethics remains at the level of the

subjective; for then we may claim and do whatever we please,
citing any characteristic of ourselves as a justification
for our conduct. And the notion of subjective morality
is a self-contradicting one. For one of the fundamental
presuppositions of the idea of morality itself is that
there are impartial criteria which proscribe certain kinds
of action. To see why this is so it will be necessary
to reveal how the idea of impartiality is presupposed by
the idea of universalizability.3

As long as the question of what will constitute a
relevant difference between persons is left open, universa-
lizability remains a purely formal principle. Nevertheless,
some difference must be cited if a person wishes to justify
differential treatment in terms of the idea of universaliza-
bility. Now the fact that an act will frustrate the interests
of another person to any degree is a prima facie reason,
on the part of that person, why the act should not be done.
This is simply a conceptual point, since to say that any
person P's interests will be frustrated by action Q is to
say that P has a reason why Q should not be done.

Now I ask, what kind of reason could outweigh this prima

3The following discussion of the connection between
universalizability and impartiality is in part a synthesis
of ideas advanced in (a) Alan Gewirth, "The Nontrivializa-
bility of Universalizability," Australasian Journal of Phi-
losophy, 47 (August, 1969), 123-131; and (b) Paul W. Taylor,
"Universalizability and Justice" (a paper read at the Inter-
national Philosophy Year Conference at Brockport, New York),
published in the proceedings: Ethics and Social Justice, ed.
Howard E. Kiefer and Milton K. Munitz (Albany, New York:
State University of New York Press, 1970), pp. 142-163.

facie reason for not frustrating someone's interests? The principle of universalizability, I believe, can be shown to embody three criteria that such a reason would have to meet: (1) at least one person's interests will be protected or fulfilled to some extent by the act being done; (2) a relevant difference exists between the person(s) whose interests are frustrated and the one(s) who benefit(s); and (3) this difference is freely acknowledged and accepted by all parties as a relevant one. As regards this last criterion, any differences between persons or circumstances that are cited as being relevant should be made explicit and discussed freely, since people do not always see clearly what is actually at issue in moral disputes.

The first criterion is necessary because an act that did not benefit anyone would be supported by no reason on the part of anyone. And since the act in question is one which we have said will frustrate someone's interests, there is already a _prima facie_ reason for not doing it and no overriding reason for doing it.

The second criteriorn is only a restatement of the formal sense of universalizability. It requires that differences in treatment be founded on differences between persons and or their circumstances.

The third criterion illuminates the idea of impartiality entailed in the idea of universalizability. This criterion requires that the property or set of properties cited in the second criterion be freely acknowledged and

accepted by all parties affected. The necessity of this
criterion can be explained best perhaps by means of an il-
lustration. Suppose a difference is cited as a reason for
treating persons X and Y differently. Further suppose
that X accepts this difference as such a reason, but Y
does not. And, to satisfy the first of the three criteria,
further suppose that X will benefit by the treatment in
question. At this point the first two of the criteria
are satisfied, but the third is not. Because the third
criterion is not met, the treatment in question is unjust.
For, by the principle of universalizability, X cannot seriously
say that it is right for the difference in treatment to
occur when these conditions obtain, unless he can also
seriously say it would be right for it to occur under the
same conditions whenever any two persons are differentiated
in the same way, for example, if he were in Y's position
and someone else were in his. And this he cannot say,
since Y does not acknowledge the difference to be a good
reason for differential treatment. That is, were their
roles reversed, X could not judge the act to be right, since
he would then have to take Y's position of not recognizing
the difference in question as a relevant one.

We have now come to what I take to be a rationally
defensible fundamental principle of ethics and justice. To
wit, differences in treatment among individuals are just if
and only if three conditions can be satisfied: (1) at least
one person's interests will be protected or fulfilled to

some extent by the difference in treatment; (2) a relevant difference exists between the person(s) whose interests are frustrated and the one(s) who benefit(s); and (3) this difference is freely acknowledged and accepted by all parties whose interests are affected, taking into account, of course, the expectable interests of future persons also.

This principle should serve as a general guide in resolving moral disputes among individuals. And it also has direct implications for the justice of social institutions. For insofar as institutions are composed of individuals and generated and upheld by individuals, the requirements for just transactions among individuals can be applied, with appropriate practical refinements, to operations of social institutions. More will be said shortly concerning institutions.

At this juncture it seems appropriate to entertain objections that might be raised against this analysis of the idea of morality. First, it might be objected that this description of persons as being purposive and rational creates an excessive generality in my moral point of view. This description of persons is only a universal not a complete description of any particualr person. Any particular person obviously has many additional features which truly characterize him, but these are all omitted in my description. Rights-claims are not made by universal features of people, rather, particular persons make various differential claims which they ground on specific kinds of descrip-

tions of themselves.

It is, of course, true that many specific descriptions are true of a particular person. The problem for ethical theory is that there are nearly an infinite number of such true descriptions, and the ethical question is how to decide which of these descriptions shall count as relevant ones. If, on the one hand, a person's own justificatory reason for his action is taken as decisively answering the question of relevance, then anything goes. However, the whole point of our ordinary moral thought and language is to subject people's choices to rational evaluation. And hence those choices cannot themselves be made the independent variables for making such an evaluation. Insofar, then, as the basis of evaluation is to be confined in a nonquestion-begging way to what is objective, I beleive that the only alternative is to select as the criteria of evaluation those features of any person and his action which, because they are necessarily and universally connected with the category of voluntary action, are impervious to whatever particular purposes he may want to advance.

A second objection might arise from the belief that this moral point of view places too much trust in those whose interests are affected by acts and who, according to the tripartite principle of impartiality, must freely acknowledge and accept reasons for differential treatment. More specifically, in the case of transactions among individuals, the person affected by some act might be just as

arbitrary in refusing to accept some reason for differential treatment as the agent himself might have been had he been free to stipulate arbitrarily any reason as a relevant one.

To this it may be replied that experience teaches us to be more trusting of rational discussion between the parties to a moral issue than license. When persons are not held accountable in some way to others for their actions, they often act in ways which we would ordinarily consider to be immoral. This moral point of view places a premium on the role that rational discussion among individuals can play in establishing relevant reasons for differential treatment and in resolving moral disputes in general. More will be said concerning the nature and role of rational discussion in my general approach to dealing with normative educational issues in the next chapter. At this point it can only be said that I am far more willing to make ethical choices subject to the conclusions reached through open and inquisitive discussion that is guided by a respect for logic, clarity of expression, the facts of the case, and the interests of others than to the unilateral whims of particular individuals.

A similar objection would be that this moral point of view would be impossible to implement in trying to establish just social institutions. That is, it might be inferred that the requirement of mutual acknowledgement and acceptance of reasons for differential treatment could require, on an

institutional level, unanimity among those who would be
the recipients of institutional action before such action
could be justified, for example, unanimity among the governed
before governments could act, unanimity among union members
before a contract could be approved, and so on. And since
unanimity is a scarce commodity, much of the institutional
action which we ordinarily consider to be worthwhile would be
rendered impossible.

But precisely because unanimity is seldom attainable
and institutional action frequently is desirable, rational
men might freely and unanimously decide to formulate a
social contract (constitution) that would provide there-
after for the operation of effective and just institutions.
Majority vote of the parties affected by institutional
action would suffice to justify such action, provided that
the wishes of the majority were enlightened ones adopted
after open discussion of the issue in question, and provided
also that a system of checks and balances is available to
all to prevent a tyranny by the majority over the legitimate
rights of a minority. To set forth in extensive detail
what I believe such a document should look like would
require a separate and lengthy volume on justice. It
suffices for the purposes of this study to say that just
institutions are ones which are generated and upheld to
protect and further the interests of all persons. At a
minimum, it can be said that six general precepts would
likely be contained in such a document. These precepts

would serve as general guides for the drafting of more specific laws and for the establishment and operation of political and other social institutions. I believe that each of these precepts is consistent with and indeed required by the moral point of view advanced in this chapter.[4]

First, institutional authority should be thought of as being conditional (as opposed to the absolute authority of a monarch or any other ruler presumed to rule from divine right) and justified only by the need for institutions which will protect and further the legitimate interests of all persons.

Second, institutional decision making should be either based upon or at least accountable to the wishes of a majority of the persons whose interests are affected by the decisions.

Third, majority rule should be thought of as being more than mere rule by the unanalyzed wishes of a majority, since majority wishes of this sort can be as malicious and arbitrary in their effects as the will of any absolute ruler. Majority rule, if it is to stand a better chance of being just and wise, should be the result of public deliberation, that is, open and rational discussion guided

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[4]The following precepts are what I take to be some fundamental principles of justice. Taken together they form a somewhat uncommon and perhaps unique synthesis of ideas. Separately, however, they closely parallel some of the ideas of Brain Barry, Political Argument (London: Routledge and Kegan Paul, 1965), Chap. VI; R.S. Peters, Ethics and Education, Chap. X; and John Rawls, A Theory of Justice (Cambridge, Mass.: Harvard University Press, 1971), Chaps. II and V in particular.

by a respect for logic, clarity of expression, the facts
of the case, and the interests of other persons.

Fourth, in a bill of rights, every person should be
guaranteed the most extensive set of liberties consistent
with similar liberties for all. Included among these liber-
ties would be freedom of expression and assembly, since
without these it would be vain to speak of institutional
action being guided by or accountable to rational discussion.

Fifth, governments and institutions should be subject
to change in an orderly manner, so as to make the fruits
of rational discussion effective and revolution unnecessary.

And sixth, inequalities of wealth, power, status, and
treatment should be attached to positions that are open to
all who aspire to them and who meet objective standards
that are designed to protect and further the interests of
persons, including the least advantaged.

If operationalized, these precepts would result in
nations and institutions in which fundamental policy would
be either directly determined by or at least accountable
to the enlightened choices of a majority, and in which
anyone would have the right to criticize and dissent from
policies established by the majority. (This does not
mean freedom to "dissent" in the sense of disregarding such
policies, but in the sense of having the right to criticize
them and to attempt to persuade rationally the majority
that they are wrong.) Institutional operations are doubtless
simpler, tidier, and perhaps even more efficient when they

are not determined by or accountable to majority rule. But
all of the imaginable alternatives to majority rule present
even greater potential dangers than complexity, untidiness,
and decreased efficiency. My insistence upon enlightened
majority rule and the right of minority dissent is based
upon the impartial moral point of view advanced in this
chapter and my belief that individuals encouraged to partici-
pate in rational discussions are, in the long run, the
best judges of what is good for them. The precepts enumer-
ated above would effectively serve to operationalize the
idea of respecting the interests of others as if they were
one's own. The excesses of nations and institutions in which
these precepts have not guided institutional operations
are manifest. In modern times alone, they range in declining
degrees of disgrace from the attrocities of Nazi Germany
and Stalinist Russia to the poorly paved streets on the
South Side of Chicago.

Returning to objections to this moral point of view,
a third objection might be that it would render the specific
institution of criminal justice inoperable, thus making
laws unenforcable. A judge who is about to pass sentence
on a convicted criminal realizes that the criminal's interests
will be thwarted, and hence he (the judge) must cite a dif-
ference between himself and the criminal that would justify
thwarting the criminal's interests. The difference that the
judge must cite, of couse, is that the criminal has broken
the law, while he has not done so himself. But the judge

seemingly cannot rely on this difference as one that would justify his passing sentence on the criminal. For if their roles were reversed and he were the criminal, he, like the criminal, would still not want his freedom diminished. This objection, like the previous one, is addressed to my requirement that differential treatment be based on relevant differences accepted by all parties concerned. And since the criminal does not accept the difference cited, the judge seemingly cannot pass sentence. For were he in the criminal's place, he also would reject the difference cited by the judge.

To this objection it may be replied that the sentencing of a criminal should come only after it has been fairly established that a crime was committed, that is, after an impartial law designed to protect or further the interests of all was broken. Now the fact that the criminal does not accept his guilt as being a difference between himself and the judge which would justify the judge's passing sentence is of no matter. The criminal's argument here is duplicitous because he wants to appeal to the principle of impartiality only when it suits <u>his</u> interests. And this, by definition of the principle in question, he may not do. For in breaking a just law, he has broken the rules of the moral language

game.[5] That is, it is duplicitous for the criminal to assert that the impartial rules of the game apply only when it suits him.

Finally, it might be objected that this moral point of view is defective insofar as it sets up an unattainable ideal of perfect rationality and constant impartiality. No one has ever been fully rational or impartial in making each and every one of his moral choices, and it is therefore foolish to found a moral point of view on the premise that men ought to do that which no man ever has.

To this it may be replied that, if men do not always act from a sense of impartial duty, they nevertheless always should. And perhaps men always see the rightness of doing so, if in many cases only dimly like the vision of a half forgotten dream. That no man has attained the ideal of always conducting himself in obedience to the principle of impartiality is not a conclusive refutation of that principle. For the true function of a moral ideal is a paradigmatic and practical one, namely, that of encouraging us on--if not to perfection--at least to improvement. The whole

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[5]The phrase "moral language game" is a bit of jargon invented by moral philosophers. It is not meant to suggest that morality is anything less than a serious matter. Rather, one who plays the moral language game uses moral rules seriously and hence acknowledges that, like the rules of a game, such rules apply to his own conduct as well as to that of the other players. For a more detailed analysis of the moral language game and its implicit rules see, e.g., Alan Gewirth, "Must One Play the Moral Language Game?," American Philosophical Quarterly, 7 (April, 1970), 107-118.

point of morality is to prescribe what men ought to do,
as opposed to describing what men do, the latter being
the province of the social sciences. In defending his
own ethical theory against charges of other-worldliness,
Kant left little room for improvement in stating the case
for idealism. I shall be content to rely on his words
in defense of the moral point of view advanced in this
chapter as well.

> ...the idea of a pure world of reasoning as a totality
> of intelligences to which we ourselves belong (al-
> though we are at the same time members of the world
> of senses also), still remains a useful and proper
> idea for the purposes of a rational faith. Even though
> knowledge ends at the border of this idea, this faith
> still is useful to awaken in us a lively interest in
> the moral law by means of the splendid ideal of a
> universal realm of ends in themselves (of rational
> beings), of which we can be members only if we conduct
> ourselves painstakingly according to the maxims of
> freedom as if they were laws of nature.[6]

Two central points have been advanced in this chapter.
It has been argued that the concept of morality itself,
as persons ordinarily think and speak of it, entails two
important features. They are important, that is, if we
are to take morality seriously and the moral issues that
confront educators daily. The first of these points is
that a truly moral decision is one that is universalziable.
That is, it is a decision which, without logical self-

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[6]Otto Manthey-Zorn (trans.), Fundamental Principles
of the Metaphysic of Ethics, by Immanuel Kant (New York:
D. Appleton-Century Co., Inc., 1938), p. 83. I have
abandoned the Abbott translation in this instance because
I find Manthey-Zorn's translation of this particular pas-
sage to be clearer and more eloquent.

contradiction, one could will to become a universal policy to be followed by all comparable persons in similar circumstances.

The second point is that genuinely moral decisions are also ones which are impartial. To act impartially is to act in a way that is freely agreed to by all parties to an issue, not simply a way that you alone choose. This means, in practice, that one ought to respect the interests of others as if they were one's own in considering and discussing what ought to be done.

This impartial moral point of view, however, is far from a sufficient basis, by itself, for the intelligent resolution of complex issues in education. What is wanted ultimately is not just an impartially achieved agreement to such issues, but an agreement that is achieved through rational discussion, as opposed to one that is ostensibly achieved impartially but which is also achieved as a result of confusion over what is at issue, specious argumentation, or ignorance about the facts of the case. Accordingly, the next chapter explores some aspects of critical thinking which, when combined with this moral point of view, comprise a more complete approach to complex issues.

CHAPTER IV
THE PRACTICAL RELEVANCE OF CRITICAL THINKING IN ETHICS

> The difference between the right word and the almost
> right word is the difference between lightening and
> lightening bug.
>
> --Mark Twain

Discussions about controversial issues in education
are frequently characterized by fallacious argumentation,
conceptual confusions over what is really at issue, and
ignorance about the facts of the case. If one wishes to
deal with moral educational issues rationally, what is needed
in addition to an impartial respect for persons is some
practical knowledge of how to deal with these troublesome
aspects of controversial issues. Therefore, I want to ad-
vance not just a praticular moral point of view in this
study but a more comprehensive approach to moral deliber-
ation. This approach is characterized by a respect for
the interests of others plus a respect for logic, language,
and the facts of the case.

A Respect for Logic

To exhibit a respect for logic in moral disputes is
to try to think and argue validly and to try to detect
invalid arguments made by others. A respect for logic means

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thinking for oneself, as opposed to relying on easy sub-
stitutes for thinking, such as blindly accepting the pro-
nouncements of some authority, imitating others, following
an unscrutinized moral code, blindly following one's emotions,
and so on. I want now to discuss some of the most common
diversions which can prevent people from thinking for
themselves about the central points of an educational issue.

These diversions are what logicians call fallacies.
A fallacy is any unsound mode of arguing that appears to
require assent and to be decisive of an issue, when, actually
it is not. There are two general kinds of fallacies that
occur frequently in discussions about educational issues,
fallacies of irrelevant evidence and linguistic fallacies.
Fallacies of irrelevant evidence appeal to evidence that
seems to be decisive of the issue in question, but which
really is not. Linguistic fallacies also seem to prove
some point, but they too actually do not. Their persuasive-
ness stems from a subtle ofuscation of the meaning of key
terms involved in the argument. Let us examine first a
number of the most common fallacies of irrelevant evidence.

Fallacies of Irrelevant Evidence

One such fallacy is the argumentum ad hominem. Ad
hominem arguments are essentially an appeal involving the
personal circumstances of the proponent of some idea in an
abusive way. Instead of attacking a person's idea, theory,
bill, or whatever, the person himself is attacked. Example:
"There can be no truth to the educational philosophy of

Jean Jacques Rousseau, for Rousseau was a scoundrel and a loafer who lived off of wealthy women like a prarsite." This argument is fallacious because the whole argument consists of an irrelevant attack upon Rousseau instead of the merits of his educational philosophy. The personal history of a man, his character, and his socioeconomic position are not inevitable determinants of the validity of his reasoning.

A second type of argument that appeals to irrelevant evidence is the argumentum ad veredundiam, an appeal to authority. This fallacy is almost the previous one in reverse. It occurs when a person attempts to validate an idea simply by citing the fact that some "authority" agrees with the idea. An appeal to an authoritative source is not in itself fallacious. The testimony of a recognized authority (in his area of competence, of course) is relevant and useful if his reasons for believing what he does are given also. An appeal to authority becomes fallacious when it is used to stifle discussions about some issue. Example: To settle an educational issue in Europe during the middle ages it was often sufficient to show that Church doctrine was in agreement with one side of the issue and not the other.[1] This kind of appeal to authority served only to stifle discussion, not illuminate the pros and cons

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[1]See, e.g., Edward J. Power, Main Currents in the History of Education (New York: McGraw-Hill, Inc., 1970), p. 300.

of the issue in question.

Another kind of argument involving an appeal to irrelevant evidence is the argument that two wrongs make a right. This argument occurs when someone defends himself against charges of wrongdoing simply on the grounds that, if the other side does it, then it is all right. Example: "Opponents of busing cannot possibly object to long bus rides for purposes of desegregation, since only a few years ago blacks were being bused up to 60 and 70 miles in some areas just to get them to segregated schools." This argument rightly points out the hypocrasy of those who object to long distance busing only when it is used for desegregation. But the fact that segregationists caused students to ride buses over long distances is not, of itself, conclusive evidence of why long bus rides should be used to desegregate schools. There may be reasons why long bus rides for purposes of desegregation could be justified, or there may not. But, in any case, the fact that a practice is used by parties on opposite sides of an issue is not a justification of the practice.

Another fallacy of irrelevant evidence is called the fallacy of the straw man. This fallacy consists in attributing to one's opponent a position different from the one he really holds and then attacking that position, as if it were the opponent's true position. Example: In arguing against federal aid to education, U.S. Senator Barry Goldwater once wrote,

> I agree with lobbyists for federal school aid that
> education is one of the great problems of our day.
> I am afraid, however, that their view and mine regard-
> the nature of the problem are many miles apart. They
> tend to see the problem in quantitative terms--not
> enough schools, not enough teachers, not enough equip-
> ment. I think it has to do with quality: How good are
> the schools we have? Their solution is to spend more
> money. Mine is to raise standards.[2]

Now who has actually ever argued that all that was needed

to improve American education was more of everything?

Senator Goldwater has chosen to try to make it appear that

proponents of federal school aid are totally preoccupied

with spending money for more of everything while being

completely uninterested in the quality of schooling thus

obtained. Unhappily this is a frequently used ploy in

moral and political argument. The trick is to oversimplify

an issue by attributing a false and untenable position to

one's opponent. But it is a trick, and should be recognized

as such by discerning minds.

Another irrelevant evidence fallacy is the argumentum

ad populem, an appeal to the passions and prejudices of

the populace. Instead of presenting evidence and sound

arguments to support a case, one appeals to the passions

of the masses. Senator Goldwater offered an example of

ad populem argument when, immediately following his previously

cited arguments against federal aid to education, he went

on to write,

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[2]Barry Goldwater, The Conscience of a Conservative
(New York: Hillman Books, 1961), p. 78.

And I suspect that if we knew which of these two views
on education will eventually prevail, we would know
also whether Western civilization is due to survive,
or will pass away.[3]

The Senator never tells us how or why western civilization

will crumble as the result of federal school aid. And,

of course, his saying it does not make it so. But what

it does do is to make federal aid to schools seem to be

a very subversive and disasterous notion, without giving

any actual evidence to that effect. The appeal is not to

reason and evidence but to the passions of the populace.

The argumentum ad misericordiam, or appeal to pity,

is another fallacy of irrelevant evidence. This is an

argument that tries to support or attack some proposition

by appealing to the emotion of pity, rather than dealing

with the merits or demerits of the proposition itself.

Example: "Busing is a moral outrage. Imagine the gall of

those ivory tower social experimentors who think nothing

of depriving tiny children of their God-given right of

freedom." Children, tiny or otherwise, are entitled to a

finite amount of freedom like everyone else. Whether busing

violates the rights of anyone is an appropriate topic for

discussion in the busing issue. But to introduce the fact

some children are "tiny" and their rights are "God-given"

can only serve to stir up passions, instead of exploring

the question of whether busing actually violates anyone's

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[3]Goldwater, loc. cit.

rights.

The false analogy is another fallacy that involves
an appeal to irrelevant evidence. Both logical and illogi-
cal thinkers make use of a device known as analogy. In
schematic form analogical reasoning runs as follows:

A has a certain cause, effect, or characteristic C.

B is similar (analogous) to A.

Therefore: B also has the cause, effect, or character-
istic C.

The proper use of analogies is as explanatory tools
which can sometimes quickly clarify an unfamiliar subject.
This use involves comparing the abstruse subject, say
electric current, with a more familiar subject, say a flow
of water. Obviously the usefulness of analogies in this
regard depends entirely on how well their comparison between
the abstruse and the familiar is founded and on how far
that comparison may safely be pushed. The point at which
analogies become fallacious is the point at which the com-
parison made is offered not as an explanation or speculative
hypothesis but as conclusive proof of something. If an
archeologist should uncover, on a hill overlooking the site
of an ancient city, the remains of a foundation of a building
much larger than any of the other buildings nearby, he
would be justified in inferring tentatively (taking the
results of similar but more well preserved findings else-
where as analogues) that he had found a temple. But no
archeologist could ever claim, on this basis alone, to
have conclusively proven the existence of a temple at the

site. The fallacy of false analogy arises, then, when
it is assumed that some point is conclusively proven simply
by appealing to a comparison. Example: "The idea of tenure
for teachers is a farce. It is completely antithetical to
the free enterprise system that has made America great. You
don't see General Motors granting their employees tenure,
do you?" Notice that this argument relies entirely on a
comparison for proof of its conclusion that teacher tenure
is a bad idea. It compares institutions that are similar
in some respects but which are also fundamentally different
in other respects. For example, teachers and auto workers
both work for a living. On the other hand, schools aim
primarily at fostering learning and a disposition to act
in obedience to what is learned; whereas the auto indistry
aims primarily at making a profit. Tenure protects a teacher's
freedom to learn and teach about new and perhaps controver-
sial bodies of knowledge. And this is clearly of paramount
importance to his on the job teaching performance. The on
the job effectiveness of an auto worker, however, is less
dependent on such liberties. Again, analogies are useful
explanatory tools, but, by themselves, they prove nothing.

The fallacy of <u>post hoc ergo propter hoc</u>--after this,
therefore because of this--is another fallacy involving
an appeal to irrelevant evidence. The mistake involved
in <u>post hoc</u> reasoning is in assuming that, if some event
follows closely on the heals of another, then the first
event must have caused the second. The fact that two events

occur in sequence is far from conclusive proof that the first is the cause of the second. The seasons succeed one another with perfect regularity. Nevertheless, summer is not the cause of autumn. We are prevented from making this mistake by our knowledge that the inclination of the earth's axis to the plane of the ecliptic is the real explanation for the changing seasons. An example of post hoc reasoning in education would be, "Violence has followed the implementation of court ordered busing plans in Boston, Pontiac, and elsewhere. Therefore, we may conclude that violence is the inevitable result of busing students from diverse cultural backgrounds to the same school." But violence has not followed busing everywhere. And even if it did, this would not be proof of the conclusion that busing necessarily causes violence. Perhaps there are factors that are not necessarily connected with busing per se which have lead to the violence in some areas. It was once thought that tropical night air somehow caused malaria, since those who contracted malaria were invariably people who had been out in the tropical night air. Eventually the anopheles mosquito--which is dormant during the day and active at night--was discovered to be the real culprit. Hence today tropical night air is no longer feared. If the factors that actually have lead to violence in some areas where busing has been ordered can be identified, then perhaps busing will also be less feared.

Another diversion from the relevant points of an issue is the fallacy of speculative argument, also known as the

hyposthesis contrary to fact. Here an assumption is made which does not coincide with the facts of the case. This assumption is then elaborated speculatively. That is, the consequences that would have been if the assumed conditions had been actual and not fictitious are elaborated. And finally a conclusion relating to the actual facts of the case is drawn from the speculative hypothesis. Example: "If the Higher Education Act of 1972 had not proscribed racial and sexual discrimination in colleges receiving federal funds, the Supreme Court would have handed down decisions having the same effect. Therefore, the passage by Congress of the Higher Education Act of 1972 was an insignificant event." In point of fact, the Higher Education Act of 1972, irrespective of what someone else might have done had it not been passed, has forced many American colleges and universities to alter significantly the racial and sexual composition of their student bodies, faculties, and staffs.

The fallacy of begging the question is the last fallacy of irrelevant evidence that I will discuss. This fallacy arises when the very point which is to be established in the conclusion of an argument is assumed to be true in the premises. A person is said to "beg" a question when he takes for granted or asks others to take for granted the very point which is ostensibly being proved. Example: "Johnny's learning problems are a result of his inferior genetic endowment. For all black students are slow learners, as

Johnny's case clearly proves." Notice that this argument gets nowhere. It is circular. It begins and ends with the assumption that Johnny's learning problems are the result of his race. And this assumption is never substantiated by evidence or reasoning.

Linguistic Fallacies

All of the above fallacies are potential distractions from the real points of an educational issue. Each involves an appeal to irrelevant evidence. The fallacies that will be discussed next can be equally distractive, but their fallaciousness is rooted in linguistic confusions. Linguistic fallacies result from the use of ambiguous or vague terms in such a way that an argument may seem to prove some point when actually it does not.

Ambiguity arises when a term is used that has more than one ordinary meaning, and it is not clear which of these meanings the speaker intends. If someone says, "That is no mean dog," there are at least two possible inferrences which a listener might draw. This is so since, among the various meanings of the word "mean," there are two which would make sense in this context. These are (1) vicious, and (2) low in quality. Hence the statement about the dog could be construed to mean either that the dog is not vicious, or that it is not low in quality (breeding perhaps). The best defense against misinterpreting what someone actually means when he uses a potentially ambiguous term is to try

to list the alternative possible meanings and then either
ask the speaker or, if he is not present, try to figure
out contextually which of these meanings is really intended
by the speaker.[4]

Vagueness is a condition arising out of the use of
a term whose limits of application are not distinct or precise.
"Middle-aged" is a term that can easily cause vagueness.
It is ordinarily understood to refer to just one thing,
namely, those years comprising the middle of an average
natural life span. But to say that a person X is middle-
aged is still not to say anything very distinct or precise
about his age. Obviously at ages 5 and 95 one is not
middle-aged, and at 40 one is. But what about 30 or 55?
Here again the best that one can do is to try to discern
how the speaker is using the term in question.

There are numerous kinds of linguistic fallacies, but
only those that occur frequently in moral thought and
argument are of immediate significance here. The first of
these is known commonly as the fallacy of equivocation.
In this kind of argument a conclusion may seem to follow
when actually it does not. The argument's persuasiveness
stems from changing the meaning of a key term in the argument
such that the term starts out meaning one thing and ends up
meaning another. Example: Some critics of modern education

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[4]This technique is described and illustrated in more
detail in John MacKaye, The Logic of Language (Hanover,
New Hanpshire: Dartmouth College Publications, 1939), pp.
125-140.

have attacked the basic activity of teaching itself. Their attack is based on the claim that teaching is often ineffectual, and other teaching is harmful. The claim that teaching is sometimes ineffective is sound. To see this point we need only remind ourselves that the word "teaching" has both task and achievement uses. Its task use refers to the activity of <u>trying</u> to bring about learning. The achievement use refers to such tries as are successful. And the claim that some teaching is hurtful is also sound. Everyone knows or has heard of a teacher who stifles his students' desire to learn, or who unduly restricts their freedom, or does any number of other objectionable things. Now, from these two sound premises about some kinds of teaching, the critics go on to argue that teaching is irrelevant at best and, at worst, harmful. For example, Carl Rogers writes, "Hence I have come to feel that the outcomes of teaching are either unimportant or hurtful."[5] And W.R. Wees makes the same claim in his book entitled <u>Nobody Can Teach Anyone Anything</u>.[6]

What makes this attack on an otherwise respected endeavor so plausible is the grain of truth it contains about some kinds of teaching and its equivocal use of the word "teaching." The grain of truth is that some teaching

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[5]Carl Rogers, <u>Freedom to Learn</u> (Columbus, Ohio: Charles E. Merrill Publishing Co., 1969), p. 153.

[6]W.R. Wees, <u>Nobody Can Teach Anyone Anything</u> (Toronto: Doubleday Canada, 1971).

is ineffective, and some teaching is harmful. But what makes the argument fallacious is that it draws a conclusion about teaching _per se_ from premises which only tell us about some kinds of teaching. That is, the meaning of "teaching" changes in mid-argument from _some kinds of teaching_ to _teaching in general_. A rule to remember in connection with the fallacy of equivocation is "one meaning per word per argument."

A second type of linguistic fallacy is called quibbling. This fallacy also involves ambiguity. It occurs when two or more people are arguing some point and the meaning of a key term changes every time it changes hands, thus resulting in misunderstanding and a "pointless" discussion. Example: "Joe, I tell you that men aren't equal. Use your eyes! Do you see the equality of mankind? Do you find in your experience that people have equal abilities or equal characters? Everyone is different from everyone else." Joe replies, "Just a minute, Bill. Men _are_ equal. The equality of mankind is the foundation of our democracy. No man has the right to think of himself as being better than another. No one is entitled to special privileges. And no one should suffer discrimination simply because of his race, creed, color, or sex. This is the basis of our legal system, which says that people are equals before the law. Should a legal decision depend on the color of a man's skin or on whether he is a better carpenter than most other carpenters?" Bill answers, "No, Joe, a legal decision

shouldn't depend on the color of a man's skin or on his talents and skills. And of course no one is entitled to special privileges. But I still say men are not equal." Notice that Bill is talking about one kind of equality, namely, empirical sameness, while Joe is referring to prescriptive equality, that is, the fittingness or justness of treating people equally. In a sense this is really not an argument at all, since for an argument to go forward there must first be an agreement between the participants as to what is at issue. There was no such agreement between Joe and Bill, for they were using a key word in two different ways. The meaning of "equality" was changing as it changed hands. Their quibbling might more appropriately be called a verbal dispute.[7]

A third type of linguistic fallacy is one known commonly as the fallacy of figure of speech. This fallacy occurs when words, phrases, or statements which are being used figuratively are interpreted literally. This fallacy is closely allied to the previously discussed fallacy of false analogy. It may entail a directly intended analogy, in which case it really is the same thing as the false analogy, or it may entail some figurative metaphor. Example: "Memory is the tablet of the mind upon which our experiences are indelibly inscribed." This statement must be under-

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[7]In a series of Cambridge University lectures, Gilbert Ryle has shown that many of the great "problems of philosophy" are, in large measure, high-flown verbal disputes. The merit of these lectures is Ryle's adeptness at grasping such problems before they become airborne. See Gilbert Ryle, Dilemmas (London: Cambridge University Press, 1960).

stood as being a figure of speech. If the statement is taken literally as being a proven fact about the psychology of learning, the reaoning that follows will surely be fallacious.

The last linguistic fallacy I want to discuss is the fallacy of bifurcation or false dualism. This fallacy arises from the fact that a number of words in the English language often appear in pairs designating opposites or extremes of a scale. Examples are "black-white," "rich-poor," "true-false," and so on. What we often fail to remember is that usually various gradations comprise a spectrum from one extreme to the other. From rich, for example, there are numerous degrees of declining wealth that lead ultimately to poor. When such opposites are mentioned in an argument, and the argument proceeds as if there were no middle ground between them, the fallacy of bifurcation is committed. Example: Thomas Hobbes failed to conceive of any intermediate forms of government between the extremes of anarchy and authoritarianism when he argued that the only way to achieve peace and security in a state was to surrender our liberty to an all-powerful sovereign. The fallacy here consists in assuming that the question is strictly an either-or matter, when, in fact, other alternatives are available.

The linguistic fallacies and the fallacies of irrelevant evidence discussed above are those which are most likely to occur in moral issues in education. There are

other fallacies that are as distracting and confusing as
the ones above, but they occur less frequently in our
moral thought and argument and hence will not be treated
in this study.[8]

Fallacies are pitfalls into which any of us may stumble
in our own reasoning or be dragged into by the reasoning
of others. Just as signs are erected along a highway to
warn motorists of potential dangers, so the discussions
of fallacies in this chapter may be regarded as danger
signals posted to warn readers of potential hazards in
moral thought and argument. So real and commonplace are
these dangers that Bertrand Russel once suggested (albeit
not in total sincerity) that most people ought to be dis-
couraged from trying to reason at all:

> I conclude, therefore, that logic ought to be taught
> in schools with a view to teaching people not to rea-
> son. For, if they reason, they will almost certainly
> reason wrongly.[9]

But we all reason. To be conscious is to connect
various items of information and draw inferences from them.
The question, therefore, is not one of whether we should
reason (a question to which a negative answer would be
self-contradictory, given the meaning of "should"), but

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[8]There are several good sources for readers wishing
to study fallacies in greater number and detail. Among
these are Stuart Chase, Guides to Straight Thinking (New
York: Harper and Brothers, 1956); and W. Ward Fearnside
and William B. Holter, Fallacy, the Counterfeit of Argument
(Englewood Cliffs, New Jersey: Prentice Hall, 1959).

[9]Bertrand Russell, Sceptical Essays (London: George
Allen and Unwin, Ltd., 1960), p. 98.

whether we shall do it well or badly.

In man's long struggle for existence, reason has been his primary instrument of survival. Man's subjugation of the animals and his limited control over the forces of nature have been possible only because reason has enabled him to turn to his own advantage what otherwise might have destroyed him. This does not mean that man has learned to employ reason to its fullest advantage.

Only in one field of human endeavor, science, has reason been used to anywhere near its fullest efficacy. Scientific inquiry is the best example of reason in action. It has resulted in ever greater theoretical knowledge and practical technology.

But it is our social (moral and political) rationality or our lack of it which will determine in the end whether these scientific achievements will be harnessed for humane purposes or whether they will be utilized for the annihilation of human culture itself.

Unless methods of rational inquiry are applied outside the sciences, social ideals and, more particularly, educational aims will remain in the dubious company of prejudice, fantasy, and confusion. If we misconceive the nature of moral thought and argument, so also will we stumble in the use of moral discourse. And if we are unclear about the meanings of the terms that lay down the ideals which are to guide our lives, there can be no clarity in the ideals themselves and no settled direction to the conduct of our

lives./

The fallacies of irrelevant evidence discussed here are a major source of confusion in discussions about educational issues. To avoid these fallacies one does well to learn the most common ways in which irrelevance can intrude unnoticed and to ask of any argument: What is the point to be established by the argument? What is the evidence upon which the conclusion is based? In short, what is being derived from what? It is by knowing and being on guard for the common ways in which irrelevance can slip by undetected that one becomes better equipped to avoid falling prey to fallacies of irrelevant evidence.

The linguistic fallacies are even more subtle pitfalls. Ambiguity and vagueness are slippery problems. To avoid them one must try to keep the meanings of the key terms involved in issues clear.

A Respect for Language

Accordingly, I will next touch upon that form of thought and exposition specifically designed to help persons clarify language, namely the process of analyzing and defining. I will discuss formal definitions first and then explore the group of clarificatory techniques loosely known as ordinary language analysis.

Aristotle is thought to be the first person to have explored the process of defining in detail.[10] Hence the basic method of formal definition is still commonly referred

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[10]Aristotle, Analytica Posteriora, Bk. II.

to as "Aristotelian." This process is known also as definition per genus et differentia, that is, definition by genus and difference. Together, the genus and difference are the heart of any formal definition. The genus names a class to which the term being defined belongs, and the difference discriminates that particular term from all other members of the same class. An example of this kind of definition could be used to clarify the meaning of the term "monograph" as follows: A monograph is a book (genus) about one subject (difference). Selection of a relatively broad genus for a definition places a heavy burden on the difference. If, for example, "A chugger is a thing which..." were the opening words of a definition, how easily could a difference be formulated to distinguish "chugger" from every other kind of "thing?" Surely "fishing lure," or, better yet, "top-water fishing lure" would be a more serviceable genus. There is, of course, another and opposite danger to be encountered in selecting a genus. When the genus is narrowed too far it may lack clearness because it has become too esoteric. Hence, if I begin to define the term "Royal Coachman" as a "dry fly pattern," I may not be clarifying the term at all for a person who does not know dry flies from nymphs, bucktails, or streamers. What is wanted ultimately is a genus large enough to be familiar to the listener and yet narrow enough to permit a difference of reasonable brevity. Sometimes, however, this ideal is unattainable. Under such circumstances, a chain

of supplemental and successively more precise definitions
must be used. This process might be used to define "canti-
lever bridge" as follows: A cantilever bridge is a bridge
whose span is formed by two cantilevers projecting toward
each other. And a cantilever is a beam or structure supported
at only one end.

The formal or Aristotelian mode of definition has been
subjected to some criticism by modern semanticists. As
a means of organizing knowledge in the various disciplines,
formal definitions are indispensable. They are also valuable
checks of a student's personal comprehension of a hard to
master concept. But, by themselves, they are only one
of a number of useful tools for clarifying language.
Among the alternative tools are the use of examples, syno-
nyms, etymology, and a form of exposition known loosely
as "ordinary langage analysis." The reader is likely
to be familiar with all of these tools to some extent,
save perhaps the last.

Ordinary language analysis is really a set of inter-
related techniques of analysis that, together, form a general
approach to trying to clarify and improve the language
we ordinarily use to express our thoughts. I would be
justifed in calling these separate tools a method only inso-
far as they all bear a strong family resemblance to each
other in their focus and technique, even though they are
the products of several different thinkers.

As a result of a series of personal experiences and a

long train of philosophical developments, in the 1930's
Ludwig Wittgenstein, a Viennese philosopher, began to believe
that the proper function of philosophy was not to discover
new truths about reality, truth, or goodness, but rather
to untangle the verbal webs we weave in trying to think
and talk about such matters. Wittgenstein argued that
ideas and the language we use to express them have meaning
only in the context of the tacit rules which govern our
ordinary language. If we want to understand the idea of
pain, for example, we must look at how we ordinarily use
the word "pain." In one of his many verbal experiments,
Wittgenstein asks us to,

> Imagine a person whose memory could not retain what
> the word 'pain' meant...but nevertheless used the word
> in a way fitting in with the usual symptoms and pre-
> suppositions of pain--in short he uses it as we all
> do.[11]

Would we want to say of such a man, simply because he could
not spout a definition of "pain," that he did not know
what the word meant? The fact that most of us would be
inclined to answer "no" to this question suggests that the
meaning of a word is its use.

According to Wittgenstein, the central problems of
philosophy are linguistic. What one must do, if one wishes
to get at the nature of unclear concepts, such as pleasure,
justice, truth, and so on, is to explore the rules that
govern our ordinary talk about these ideas. Where we go

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[11]Wittgenstein, Philosophical Investigations, p. 95e.

astray in trying to understand ideas is in losing sight
of the rules of the game we are playing. Our failure to
understand is like the confusion that would be caused
in a chess game if one of the players were suddenly to
begin making checkers moves with his chess pieces, or if
he began moving his bishops as if they were knights, his
queen as if it were a bishop, and so on. "A main source
of failure to understand," said Wittgenstein, "is that we
do not command a clear view of the use of our words."[12]

For example, one chief cause of confusion in the field
of ethical theory is the fact that we seldom take time to
explore the logic of ordinary moral discourse and contrast
it with other sorts of discourse. Many statements that
look alike grammatically are actually governed by differ-
ent contextual logic. Consider, for example, the following
sentences:

1. Killing persons is punishable by law.

2. Killing persons is ghastly and revolting.

3. Killing persons is morally wrong.

In each sentence the subject "killing persons" is qualified
by a predicate. The grammar is the same in each, but the
logic is different. Unless one notices the difference in
the kinds of sentences these are, one might wrongly slip
into thinking any number of things. For example, one
might think, as naturalists do, that it is possible to

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[12]Ibid., p. 49e.

confirm the truth of sentence 3 in the same way that one
can confirm the truth of sentence 1. Or one might think,
as emotivists do, that sentence 3 is like sentence 2, in
that all it does is express our emotions about killing
persons.

We have here three different kinds of statements. The
first reports an empirical fanct, the second sxpresses
personal emotions, and the third makes a moral judgment.
In the ordinary language view of philosophy as a therapeutic
activity, the philosopher's task is to map out such
different sorts of language so that we do not get lost by
straying from one territory to the next, thinking we have
been in only one territory all along. That is, the job
of the philosopher is to make explicit the implicit rules
that govern our ordinary use of different sorts of language.
Of course, in a sense, we already know these rules, be-
cause we use these various different kinds of language
correctly most of the time. It is when we unwittingly
violate the rules and confuse these categories of discourse
that the need for philosophy arises.

We recognize our mistakes only when we see that our
statements lead ultimately to conclusions that sound odd
or absurd. If, for example, we were to equate the concept
of morality with the concept of emotion, as emotivists do,
and to assume that there can be no rational way to resolve
moral disputes, we might conclude a moral argument by saying,
"You go on feeling your way about euthanasia, and I'll go on

feeling my way about it." If this statement strikes us as
sounding odd, perhaps there is a difference between the
language of morality and the language of emotions.

Gilbert Ryle has called such mistakes "category mistakes."
In this instance, by losing sight of the distinction between
our ordinary talk about morality and our talk about emotions,
we confuse the category of morality with the category of
emotion. Ryle's best known work is his book, The Concept of
Mind.[13] In this book he brings this general method of
ordinary language analysis to bear on the problem of clari-
fying the frequently confused concept of mind. According
to Ryle, most philosophical discussions about mind commit
the category mistake of not differentiating between "things"
and "dispositions." Ryle is out to attack here what he
sees as an error committed by Rene Descartes. Descartes
held that mind and matter were two different substances
which belonged to the same whole, in the sense that, to-
gether, they made up what we call a human being.

The problem with this view is that it systematically
misleads us into assuming that the logic of the language
we ordinarily use to talk about physical phenomena (bodily
activities, for example) is just like the logic of the
language we use to talk about mental phenomena. The simplest
way to describe this error is to say that, although the body
can appropriately be regarded as a thing, the mind is not a

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[13]Gilbert Ryle, The Concept of Mind (New York: Barnes
and Noble, 1949).

thing at all. This can be seen if we take care to analyze
the use of those words we ordinarily use to refer to oper-
ations of the mind, such as "knowing," "doubting," "be-
lieving," and so on. A study of the many ordinary uses
of these words reveals that they do not refer to the oper-
ations of any tangible thing, but to the exercise of various
human capacities or dispositions. The mind can thus be
regarded not as a substance with a specifiable location,
but rather as a set of dispositions.

But what then is a disposition, if it is not a thing?
"Solubility" is an example of a disposition. To say that
sugar has solubility is to say that if we put sugar in
water, under normal conditions, it will dissolve. Solu-
bility is thus not a thing but a characteristic, a dispo-
sition, a tendency to dissolve when placed in water.
Similarly, "knowing," "doubting," "believing," and so on
are dispositions. They are observable tendencies, character-
istics, or potentialities. For example, to say that a
student knows something is to say that under certain con-
ditions (perhaps a test) he is able to give a performance
of a certain kind. This performance is observable. It
reveals not the operation of a secret hidden entity, but
the exercise of a particular capacity or disposition.
Accordingly, the view that mind is some mysterious thing
is as implausible and potentially confusing as holding
that solubility is a ghostlike thing possessed by sugar.
The view more compatible with the logical geography of our

ordinary language about mind is that mind is nothing more
or less than a set of dispositions.

Through the ideas of Wittgenstein and Ryle, we have
seen developing here a general method of inquiry. It is
a method that involves trying to lay bare the implicit rules
that govern our ordinary uses of different kinds of language,
so that we do not confuse these different kinds of language
and thereby confuse issues.

A specific tool that is frequently used in this general
method is called the "paradigm case." This involves trying
to relieve confusion by examining paradigmatic (that is,
model or classic) cases of the ideas we wish to clarify.
This method enables one to observe and list common features
displayed by the paradigm chosen. If we were trying to
clarify the idea of "morality;" as indeed I was trying to
do in Chapter III, we might try to cite a statement or
question that almost everyone would consider to be a moral
one and then try to tease out the salient features of the
statement or question. (This is what I did by investigating
the presuppositions of the question, "What ought I to do?")

Susan Stebbing once used this technique to criticize
a passage in Arthur Eddington's landmark work in physics,
The Nature of the Physical World. In this book, Eddington
describes a world of physical objects all with their tiny
solar systems of electrons moving about atomic nuclei.
He goes on to point out that the actual amount of space
occupied by matter in all objects is quite small compared

to the empty spaces between particles. While this may seem
a shocking proposition at first, it is nevertheless a
scientifically accurate statement. And, stated as it is
here, it is one that is fairly easy to comprehend. But
Eddington went on to make statements that have only served
to confuse high school physics students trying to comprehend
the idea of an atomistic physical world. It was these ill-
considered statements that drew Stebbing's critique.
An example is Eddington's discussion of the "perils" of
stepping on to a wooden floor, which, like everything
else, is not "solid:"

> The plank has no solidity of substance. To step on
> it is like stepping on a swarm of flies. Shall I
> not slip through? No, if I make the venture one of the
> flies hits me and gives me a boost up again; I fall
> again and am knocked upwards by another fly; and so
> on. I may hope that the net result will be that I
> remain steady; but if unfortunately I should slip
> through the floor or be boosted too violently up to
> the cieling the occurance would be, not a violation
> of the laws of Nature, but a rare coincidence.[14]

Despite the validity of the proposition that physical
objects, including wooden floors, contain more space than
particles, we must regard Eddinton's language here as un-
fortunate, since it is likely to be misleading to persons
new to the subject. It is more likely to cause confusion
about than understanding of the point which Eddington is
presumably trying to drive home. Eddington lost sight of
the tacit rules that govern our ordinary thought and discourse

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[14]Sir Arthur Eddington, The Nature of the Physical
World (New York: The Macmillan Co., 1929), p. 342.

about "solid" objects such as wooden floors. As Stebbing
pointed out, our understanding of "solid" is derived from
our ordinary experience with and talk about just such articles
as wooden floors, formica table tops, and so on.[15] A wooden
floor is a paradigm of the idea of "solid." And stepping on
a plank of a wooden floor is not in the least like "step-
ping on a swarm of flies." Eddington is like the man who
suddenly starts making checkers moves with his chesspieces.
His antics may seem humorous to us in retrospect. No doubt
Eddington used the metaphor of the swarm of flies with
humorous intent, but he failed to appreciate that by making
such an odd statement, he ran the risk of generating more
confusion than understanding.

Another technique of ordinary language analysis is what
I shall call the "related case." This involves listing
cases that seem closely related to the idea one is trying
to clarify and then asking linguistic questions concerning
how we think and talk about these related cases. The pur-
pose of this technique is to mark off distinctions and
connections and thereby bring into fuller relief the idea
that is being clarified. If, for example, one were trying
to get clear about the idea of "education," one might ask
questions like those asked in Chapter I. For instance,
would we say of a well trained race horse that he was well

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[15]L. Susan Stebbing, Philosophy and the Physicists
(London: Methuen, 1937), pp. 48-51.

educated?" This technique, like all of the ordinary language techniques, is only a variation on the central theme of trying to uncover the rules that govern our ordinary language. This particular technique is a handy one, because usually we are in agreement about what "we would say."

The last technique of ordinary language analysis that I want to discuss is what I shall call the "contrasting opposite case." This method involves using the paradigm case in reverse. Just as one can use paradigms to get at salient presuppositions of a concept, one can contrast a concept that one wants to clarify with what is clearly an opposite case. If, for example, one were trying to get at the nature of "justice," one might examine acts that we would ordinarily say are clearly unjust (the act of burning all red heads at the stake was used in Chapter III) to see why we think they are unjust, that is, to see what characteristics of our tacit knowledge of justice such acts violate.

By "a respect for language," then, I mean the disposition to try to get clear about what is meant by the key terms in moral issues in education by carefully analyzing and defining them. For if the meanings of the terms that refer to the ideals in our lives are unclear, then there is no clarity to the ideals themselves and, hence, no rational direction in the conduct of our lives. The techniques of analysis and definition discussed in this chapter can

be of great help in trying to clarify and to resolve complex educational issues.[16]

A Respect for the Facts of the Case

It should be stressed here again that the moral point of view of impartiality, of itself, is an insufficient basis for the resolution of controversial educational issues. This chapter is designed to elucidate the other minimal ingredients that must go into any serious effort at the intelligent resolution of such issues. Among these ingredients are a respect for logic, language, and what I will call a respect for the facts of the case. It simply is not possible to plug in the principle of impartially respecting the interests of others and to receive ex nihilo a just and wise resolution of some particular complex issue. If, for example, one is deliberating about the moral propriety of desegregating public schools, one must take into account, among other things, the factual events which have led to the current state of affairs in American schools, the effects of ongoing segregation, and the best available evidence concerning the probable consequences of desegregation.

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[16]There are a number of sources that should be consulted by readers wishing to pursue further the relevance of a respect for language in dealing with educational issues. Three of the better ones are: George W. Ferree, "Selected Tools of Analytic Philosophy and Their Application in Education," Doctoral Dissertation, University of Florida, 1969; John B. Magee, Philosophical Analysis in Education (New York: Harper and Row, 1971); and Israel Scheffler, The Language of Education (Springfield, Illinois: Charles C. Thomas, 1960).

By "the facts of the case," then, I mean (1) the identifiable circumstances out of which a particular moral dilemma has arisen, and (2) the best available evidence as to what the probable consequences would be of proceeding on each of the alternative courses of action available in an issue. A respect for the facts of the case means a propensity to try to find out what the facts of the case are and to face them, as opposed to hoping that the facts are what one wants them to be, or, worse yet, inventing one's own to suit one's purposes. The facts of the case take on significance in moral educational issues in one or both of two ways.

First, there is the type of case in which the issue is completely or in part a means-end dispute. If, for example, there is a dispute about the worth of a certain course of action A that is alleged by its proponents to lead to a desirable result R, it is often possible to obtain evidence of whether in fact this sort of action has in the past produced such results as R, and whether in the future it is likely to do so. Notice that in such instances the facts of the case that are of most interest are those that describe the probable consequences of proceeding on alternative courses of action.

On the other hand, the facts of the case that describe the circumstances out of which a moral educational issue has arisen take on significance when what needs to be done is to match concepts with facts. If, for example, a school

board is faced with the question of whether to suspend a student for some offense, say, vandalism, it would need first to clarify and define the concept of vandalism, and then to try to determine fairly if the student's acts actually amounted to vandalism.

A respect for the facts of the case, then, is a disposition to try to find out as much as possible about the circumstances out of which an issue has arisen and the best evidence of what is likely to result from proceeding on each of the alternative courses of action available.

A Rational Approach to Educational Policy Questions

In this chapter I have enumerated three objective criteria to be observed in dealing with educational issues. These criteria plus the moral point of view of impartially respecting the interests of all persons form the basis of the general approach that I wish to recommend for dealing with educational issues. This approach involves breaking complex issues down into numerous simpler questions will be one of three general kinds or an admixture thereof. These kinds are: (1) conceptual, (2) empirical, and (3) normative.

A conceptual question is one that can be answered by analyzing and defining the key concepts in the question in a way consistent with what I have called a respect for language. An example of such a question would be: Is education (concept) a discipline (concept)?

An empirical question is one that can be answered by appealing to relevant observed or observable evidence in

a way consistent with what I have called a respect for the facts of the case. An example of an empirical question would be: Have teaching machines increased reading performance levels in Florida schools?

A normative question is one that can be answered by appealing to some presupposed human value. In the case of moral questions, I believe the appeal ought to be to the principle of impartiality explicated in Chapter III. This means evaluating alternative courses of action in terms of how they are likely to affect the legitimate interests of everyone concerned. Clearly this will involve attending to the facts of the case and the concept of morality, but the emphasis here is on the normative and not simply the empirical or the conceptual.

Even when one breaks complex issues down into more manageable simpler questions the "simpler" questions may still be complex insofar as they still contain elements of the three kinds of questions just explained. In trying to formulate a school policy concerning the issue of whether to allow students to wear their hair as they choose, one might consider some simpler issues one at a time. For example: Do students have a legal right to wear their hair as they choose? Should students have the moral right to wear their hair as they choose? This second question combines all three of the basic kinds of questions. The concept of a moral right would need to be clarified. The terms "should" and "moral right" call attention to the

normative aspects of the question. And surely one would
want to consider the empirical circumstances out of which
the issue has arisen, the consequences of allowing students
to wear their hair as they choose, and the consequences of
not allowing them to do so.

Finally, since all of the answers offered in response
to the various simpler question will be arguments so to
speak, one should always try to bear in mind the question
emphasized in the section of this chapter entitled "A
Respect for Logic," namely, "What is being derived from
what?"

The approach to educational policy questions that I
am advocating, then, involves (1) breaking down complex
issues into simpler and more manageable questions, (2)
identifying these simpler questions as to their kinds of
elements, (3) answering these simpler questions in ways
consistent with what I have called a respect for logic,
language, the facts of the case, and the legitimate interests
of all persons, and (4) trying to resolve the central issue
in hand by drawing on what has been learned by answering
the simpler questions. This approach is illustrated in the
next two chapters.

CHAPTER V
BUSING: AN ISSUE FOR ANALYSIS

> All things being equal, with no history of discrimi-
> nation, it might well be desirable to assign pupils
> to schools nearest their homes. But all things are
> not equal in a system that has been deliberately con-
> structed and maintained to enforce racial segrega-
> tion.
> —Chief Justice Warren E. Burger

In this chapter I am going to attempt to demonstrate
the general approach to dealing with educational issues
that is advocated by this study. For this purpose I have
selected for analysis a contemporary moral issue in educa-
tion, namely, the issue of whether to bus public school
students for purposes of racial and socioeconomic school
desegregation.

Busing has been one of the most controversial issues
of educational policy in the 1960's and 1970's. In the
hope of turning some of the heat generated by the busing
controversy into light, I will sort out the major arguments
for and against busing and try to evaluate them in terms
of how well they seem to reflect a respect for language,
logic, the facts of the case, and legitimate interests of
other persons. I will discuss the arguments _for_ busing
first.

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The arguments for busing can be seen more clearly if they are viewed in reference to the factual circumstances out of which the busing issue has arisen. Therefore I want to begin by briefly recounting the facts of the case that have led up to this issue.

The issue of busing arose out of a perplexing situation in which it was becoming increasingly clear that there was something seriously wrong with public education for blacks in America. Social scientists began to compare national averages for black student achievement and attitudes to those of white students. Black parents began to feel that there was a large disparity between the quality of education offered in the all or predominantly black schools their children attended and white schools. And by the early 1950's social scientists had gathered a body of evidence which suggested that segregated education was harmful to black children. Taking judicial notice of this evidence, the U.S. Supreme Court ruled in 1954 that,

> ...in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.[1]

The evidence that the Court accepted suggested the solution to the problem, desegregation of the schools.

Thus in the years since 1954 the Supreme Court and lower federal courts have sought to dismantle segregated

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[1] Brown v. Board of Education of Topeka, 347 U.S. 483 (1953).

school systems. The method of desegregation has been left to the discretion of local officials. In communities where school officials have chosen to do little or nothing to desegregate their school systems, local NAACP chapters have filed suit asking that officials be ordered to formulate viable desegregation plans or else be held in contempt of court. In communities where school officials have been the most intransigent, judges have been forced to devise local desegregation plans themselves. Frequently these plans have included busing, since segregated housing patterns make busing the only way to obtain desegregated schools in many areas.[2]

The basic argument in favor of busing is a complex one that is based partly on a factual claim and partly on a normative claim. The factual component claims that separate schooling generally results in lower achievement scores for minority students. The normative component claims that minority students are as entitled to quality public education as whites, and, under the factual circumstances, desegregation (including busing where necessary to achieve it) is morally in order.

If the factual side of the claim is true, then I think the normative argument is compelling. Our society places a premium on the skills acquired in schools. And

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[2]Examples of such cases are Swann et al. v. The School Board of Charlotte-Mecklenburg, 402 U.S. 1, 15 (1971); and Keyes v. Denver School District No. 1, 93 U.S. 2686 (1973).

education is therefore an indispensable good which we bestow upon our young, one which will affect them all of their lives. Busing, I believe, is consistent with the considerations raised in Chapter III. It was seen there that the heart of the idea of morality and just institutions is the notion of respecting impartially the legitimate interests of all persons. It is from this moral point of view that proponents of busing contend that busing should be used where necessary to desegregate schools and thereby promote greater equality of educational opportunity. Let us next explore the empirical side of this claim in more detail.

Perhaps the research evidence accepted by the Supreme Court in 1954 was a bit sparse, but the far more extensive research conducted subsequently would call for the same decision. Since 1954 widespread inquiry has been undertaken to determine the effects of segregated schooling on minority achievement. The results of these studies point to permanent damage done to black students by racial and socioeconomic isolation in schools. Of special significance is the fact that the evidence further suggests that the school environment variable which is most closely related to black achievement and attitudes is not curriculum, facilities, or teachers, but it is the percentage of middle and upper class white students in the classroom. Apparently the presence of high achieving students has a positive influence on students who had been previously surrounded by

predominantly low achieving students.[3]

Thus far then, the case for busing seems to be a sound one. For as we have seen in Chapter III, differences in treatment among individuals are just only when they are designed to further or protect the interests of some person(s), are based on a relevant difference between the persons treated differently, and this difference is accepted by all parties affected as being one that would justify such differences in treatment. The facts of the case are that segregated schooling is harmful for blacks. And thus many blacks are opposed to segregated schooling and are in favor of desegregation, even when busing is necessary to achieve it. Hence the moral burden is on the opponents of busing to convince proponents of busing why middle and upper class whites should be allowed to continue to enjoy superior schooling.

And so let us now consider the case _against_ busing. Together, the various arguments against busing seem to form a strong case for not busing students. But, when analyzed and evaluated individually, they make almost no

[3]See, e.g., U.S. Department of Health, Education and Welfare, _Equality of Educational Opportunity_, James Coleman et al. (Washington: U.S. Government Printing Office, 1966), pp. 22, 221-277, 330-331; and U.S. Commission on Civil Rights, _Racial Isolation in the Public Schools_ (Washington: U.S. Government Printing Office, 1967), e.g., Vol. II, p. 7, Table 4.2; and R.B. Frary and Thomas Goolsby, "Achievement of Integrated and Segregated Negro and White First Graders in a Southern City," _Integrated Education_, VII (July/August, 1970), 48-52.

case at all. Most of the arguments can be dealt with by
exploring the facts of the case. Some also require linguis-
tic clarification. A few commit errors of reasoning. And,
because without desegregation many black children are sure
to receive less than equal educational opportunity, the case
against busing also is not compelling on moral grounds.

One commonly raised objection to busing is that it
often requires large numbers of children to be bused long
distances at great inconvenience. In reply to this objection
U.S. Senator Walter Mondale, among others, has pointed out that
until recently there were counties in Georgia and Misssis-
sippi that bused black children up to 90 miles one way to
get them to segregated schools.[4] Senator Mondale's reply
to this objection ignores the real point of the objection,
namely, whether busing really necessitates long and un-
convenient bus rides for large numbers of children. _If_
the Senator's response is offered as a conclusive refutation
to this objection to busing, then it commits the logical
fallacy of arguing that two wrongs make a right. Just be-
cause segregationists once bused children long distances
at great inconvenience is not a compelling reason, of
itself, why anyone else should do so. The Senator's point _is_
relevant, however, insofar as it points out the hypocracy
of those who would rather bus black children around the
world than desegregate their schools, and who complain

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[4]U.S. Congressional Record, 91st Congress, 2nd Session
(February 28, 1970), S2652-2653.

about long bus rides when they are used _for_ desegregation.
However, one need not be in favor of long bus rides for
purposes of preserving segregation to be against long bus
rides for purposes of ending segregation. That is, there
are reasons other than a desire to preserve a dual school
system why some parents might not want their children to
be bused long distances.

The question of whether busing actually requires long
bus rides at great inconvenience is eseentially a factual
one, if conceptual and normative agreement can be reached
to the effect that a bus ride of thirty minutes or less is
not "inconvenient." The U.S. Commission on Civil Rights
recently did a study to determine if busing for purposes
of desegregation usually requires long bus rides. Their
study, done on a nationwide basis, included the most re-
cently desegregated school systems, such as Charlotte,
Richmond, Denver, etc. Their results:

> ...before the Charlotte-Mecklenburg decision, pupils
> averaged over an hour on the bus. When the desegre-
> gation plan was carried out, however, bus trips were
> cut to a maximum of 35 minutes. Similarly, the Rich-
> mond decision would call for average bus rides of
> about 30 minutes, which is less than the current aver-
> age in an adjacent district not involved in the de-
> cision. Where pupils are bused for the first time,
> trips are rarely long. The average travel time re-
> ported seems to be 20-30 minutes. Trips of half an
> hour or so would not bring the pupil home much later
> than if he walked from a neighborhood school.[5]

[5]Testimony of Stephen Horn, Vice Chairman of the U.S
Commission on Civil Rights, before the Committee on Educa-
tion and Labor, U.S. House of Representatives, April 11,
1972. As cited in NAACP, It's Not the Distance, It's
the Niggers (New York: NAACP Legal Defense and Education
Fund, Inc., 1972), p. 8.

Though there may be isolated instances of long bus rides
for purposes of desegregation, this is not the case usually.
And in those few cases where long bus rides do occur, the
length of the rides is not a necessary consequence of busing
per se. When children leave home early and return late
or travel circuitous routes, it is usually because author-
ities refuse to provide enough buses. The local and federal
officials who refuse to provide enough funds for buses so
that individual bus routes could be shortened are largely
responsible for these isolated cases. In this regard, Presi-
dent Richard Nixon acted duplicitously in impounding funds
appropriated for busing and other educational emergencies
requiring financial aid (The Emergency School Assitance
Program) on the grounds that he opposed busing because it
required long inconvenient bus rides.

A second common objection to busing is that busing
requires excessive transportation of students and hence
creates serious risks to their safety. This too is essen-
tially a factual claim that may be substantiated or refu-
ted by available evidence. As we have just seen, busing
for purposes of desegregation seldom requires bus rides
longer than 20 to 30 minutes, and it never need do so.
However, by definition, students are bused in busing programs,
and hence the safety of all busing is called into question.
The facts are that, of all the possible ways for a child to
get to school, riding a school bus is by far the safest.
The National Safety Council's Accident Facts show that

busing is more than twice as safe as any alternative way
of getting to school, including by walking, by motor cycle
or scooter, by bicycle, by other motor vehicle whether
driven by parent or student, or by a public conveyance
other than a school bus.[6] Thus the claim that busing
creates avoidable safety risks to students is unsupported
by the facts of the case.

A third objection to busing is that even if desegre-
gation actually results in enhanced scholastic achievement
on the part of the minority students, as its advocates hope
it will, it is reasonable to expect that white student
achievement will be proportionately decreased. The
implicit assumption here is that, if black students gain
in performance as a result of classroom desegregation, then
whites must decrease in their performance as a result of
being mixed with lower performers. If it were the case
that busing decreased white student achievement levels,
some sort of evaluation of the good and bad effects of
busing would have to be made to evaluate busing's overall
propriety. But this type of comparative evaluation is
rendered unnecessary by all of the evidence available
concerning the effects of desegregation on black and white
achievement. In every case study of the effects of desegre-
gation on black and white students done thus far, white

[6]National Safety Council, Accident Facts (Washington:
National Safety Council, 1971), pp. 90-91.

student achievement has been either unchanged or slightly enhanced.[7]

Another objection to busing claims that busing simply has not worked. There are two variations on this theme. Sometimes what is meant by this objection is that busing has not improved race relations among white and black students. But whether busing has or has not improved racial harmony is not conclusive evidence of whether busing has "worked" or not, since racial harmony was never the primary objective of busing. Rather the central purpose of busing has been to desegregate schools and promote greater equality of educational opportunity and thereby bolster black achievement. Of course, it is to be hoped that black and white students will end up understanding and respecting each other more as a result of busing. But if they do not, the fault will lie less with busing than with politicians, school officials, and parents who tacitly or overtly encourage children to maintain social segregation.

The second variation on the theme that busing has not worked is more to the point. The claim here is that busing has failed to bolster black achievement. This claim is based on a now famous study of the evidence on the effects of busing. In this study, social scientist David Armor

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[7]See, e.g., Thomas F. Pettigrew, Elizabeth L. Useem, Clarence Normand, and Marshall S. Smith, "Busing: A Review of the 'Evidence,'," The Public Interest, 30 (Winter, 1973), 88-118.

concluded that busing had little or no salutory effect
on black verbal and quantitative achievement.[8]

The selection and interpretation of statistical data
is tricky business. Conclusions drawn from statistical
data must be treated with the same degree of critical
scrutiny that was outlined in the section called "A Respect
for Logic" in Chapter IV. The question which I want to pose
concerning the Armor study and which one must try to bear
in mind in connection with all statistical propositions
is "What is being derived from what?" Armor's report
focuses primarily on a voluntary busing program in Boston
called METCO. He compares the achievement of the 1500
students involved in the METCO program with 82 control
students. From this sample, Armor eventually concludes
that,

> The available evidence on busing, then, seems to lead
> to two clear policy conclusions. One is that manda-
> tory busing for purposes of improving student achieve-
> ment and interracial harmony is not effective and should
> not be adopted at this time.[9]

Now even a brief examination of Armor's study reveals
two serious methodological problems with it. First, the
study has far too small a sample to be predictive of anything
on a nationwide basis. But worse, this small sample is not
even what it is purported to be. A test of the effects

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[8]David J. Armor, "The Evidence on Busing," The Public
Interest, 28 (Summer, 1972), 90-121.

[9]Ibid., 116.

of busing on black achievement should compare an experimental group of black students who are bused to desegregated schools with a control group of black students who are not bused and do not attend desegregated schools. In variance to this procedure, however, Armor compared a group of children in the METCO program most of whom were bused to desegregated schools with another group of children many of whom were also bused to desegregated schools. It develops that 34 of the 84 "control" students in the Armor study attended desegregated schools. And many of these were also bused to their schools. The "experimental" group of METCO children were all in desegregated schools, but not all were bused.

Not suprisingly, Armor found few achievement level differences between his experimental and control groups. In a very real sense, Armor's study is not a test of the effects of busing at all, for it never treats busing as an independent variable. The question, then, of whether busing has succeeded in bolstering black achievement cannot be answered by Armor's study.

However, there is a growing body of evidence collected under more scientific conditions which suggests that, when certain conditions obtain, busing does result in significant

gains in black verbal and quantitative achievement levels.[10]
The conditions that appear to be necessary ingredients for
such gains in black achievement are: (1) equality of access
to the school's resources, (2) classroom, not just school,
desegregation, (3) desegregation beginning in the early
grade levels, (4) substantial desegregation of both student
bodies and staffs, and (5) the avoidance of strict ability
grouping.[11]

Another largely factually based objection to busing
is that there is a viable alternative to busing, namely,
compensatory education. Compensatory education involves
the use of special teachers, facilities, and or curricula
for disadvantaged students. There are two errors in viewing
conpensatory education as a viable _alternative_ to busing.
First, this view assumes that the sole purpose of busing

[10]See, e.g., Ronald Banks and Mary E. Dipasquale, "A
Study of the Educational Effectiveness of Integration,"
unpublished report, Buffalo Public School System, Buffalo,
N.Y., 1969; or Edward B. Morrison and James A. Stivers,
"A Summary of the Assessments of the District's Integration
Programs, 1964-1971," Research Report No. 9 of Series
1971-1972,Sacremento City Unified School District, Sacre-
mento, California, 1971; or Irene W. Slone, "The Effects
of One-School Pairing on Pupil Achievement, Anxieties,
and Attitudes," Doctoral Dissertation, New York University,
1968.

[11]See, e.g., James McPartland, "The Segregated Student
in the Desegregated Schools: Sources of Influence on Negro
Secondary Students," Report No. 21 of the Center for the
Study of Social Organization of Schools, The Johns Hopkins
University, June, 1968; and Nancy St. John, "Desegregation
and Minority Group Performance," _Review of Educational
Research_, 40 (February, 1970), 111-133.

is to increase the academic achievement of black students.
While this is the primary aim of busing, it is not the sole
aim. Altered aspirations and attitudes are secondary aims
of busing.

Second, and more importantly, this view presupposes that
black achievement can be significantly bolstered by segre-
gated conpensatory education. (Compensatory education without
busing is perforce segregated in many areas, owing to present
housing patterns and attitudes in America.) And this pre-
supposition is completely contrary to the evidence on the
effects of segregated compensatory education. The largest
comprehensive nationwide survey of diverse compensatory
education programs concluded that,

> ...the compensatory programs reviewed here appear
> to suffer from the defect inherent in attempting to
> solve problems stemming in part from racial and social
> class isolation in schools which themselves are iso-
> lated by race and class.[12]

These findings are only consistent with the evidence cited
earlier concerning the relationship between various school
environment variables and minority achievement. That is,
the most significant of these variables is the socioeconomic
and racial makeup of the students in the classroom.

Another factually based objection to busing claims that
persons of all races simply prefer racial segregation to
integration. This claim about human nature is made usually

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[12]U.S. Commission on Civil Rights, Racial Isolation,
Vol. I, p. 139.

by such segregationist groups as the Ku Klux Klan and the
White Citizens Council. The claim is what must be evaluated,
however, and not its source. This claim is based on the
observable fact that widespread racial segregation does
exist in America and indeed throughout the world. But a more
scientific approach to the question of human nature concerning
racial segregation versus integration reveals that, as in
so many other areas of human activity, early childhood
environment is closely related to adult preferences. Re-
search conducted by educational psychologists shows, for
example, that people who attend racially integrated schools
and colleges are much more likely to welcome continued
racial integration in their housing, work, and so on, and
for their children. Whereas segregated schooling typically
helps foster racist and separatist attitudes.[13] If, then,
preferences for segregation and integration are determined
largely by childhood experiences, and if we are concerned
with providing equality of educational opportunity, then
we should attempt to create an integrated environment for
our children which will result in both more equal educational
opportunity and a desire on the part of future adults to
continue to foster this equality.

Another objection to busing claims that increases in

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[13]See, e.g., Ibid., Vol. I, p. 113, Vol. II, pp. 211-
241; or Robert L. Crain, "School Integration and the Aca-
demic Performance of Negroes," Sociology of Education,
44 (Winter, 1971), 18.

student violence at desegregated schools outweigh any
benefits that busing might produce. That violence does
sometimes follow new busing programs is an undeniable fact.
Everyone has heard of racially inspired fights between students
or between students and staff members. But the post hoc ergo
propter hoc argument that busing has been followed by
violence in many areas is not proof that violence is an
inevitable consequence of busing.

It is instructive to note that violence has occured
in only some newly-desegregated schools and not in others.
This suggests that violence need not result from mixing
pupils from diverse cultures. The schools of Mobile, River-
side, and Berkeley, for example, were desegregated by busing
without any resulting violence.[14] Yet elsewhere teachers
spend more time separating fighting students than teaching.
The principal difference (no pun intended) between these
contrasting results seems to lie in the determination of
school officials and parents in the peacefully desegre-
gated systems to create a climate where a heterogeneous
student body and staff can learn to work and play together
peacefully. And it also seems clear that those schools
with the worst violence problems brought the trouble on
themselves through a combination of naivete, intransigence,
and stupidity. In an article that deals in part with the

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[14]See "The Agony of Busing Moves North," Time, 98
(November 15, 1971), 63.

problem of busing-related violence, Charles R. Cooper cites
a newly desegregated high school in Edgefield, South Caro-
lina as a classic example of the sort of school in which
violence is likely to erupt. The name of the school is
Strom Thurmond High School, the nickname of the school's
athletic teams is the "rebels," the school's _fight_ song
is "Dixie," and Confederate flags are flown at all school
functions.[15] Cooper and others have concluded that, while
violence has indeed followed busing in some areas, vio-
lence is not an inevitable result of busing _per_ _se_. Instead,
if school officials and parents will make a sincere effort
to anticipate and rectify any conditions that are sure to
provoke many students, then desegregation can be achieved
peacefully.

Even our highest elected political leaders have not
been immune from saying untoward things about busing.
The violent resistance of white students and more
often white parents to court ordered busing has very likely
been encouraged to a large degree by those politicians
who have stated publicly their objections to busing at a
time when they know full well that busing must still go
forward and that their comments can have no constructive
effect. (A constitutional amendment passed by Congress
and ratified by legislatures or conventions in three fourths
of the states is the only means of preventing busing; and

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[15]Charles R. Cooper, "An Educator Looks at Busing,"
The _National_ _Elementary_ _School_ _Principal_, L (April, 1971),
31.

attempts to pass such an amendment have failed in the past,
owing to the view held by most members of Congress that such
an amendment would be antithetical to the 6,000 words pre-
ceding it.) An example of this lack of leadership and in-
flamatory rhetoric is the comment made recently by President
Gerald Ford. Just as emotions were beginning to cool in
Boston where violent demonstrations had followed the imple-
mentation of a local court ordered busing plan, President
Ford announced at a news conference that he was "personally
opposed to the Court's decision."[16] This remark served no
constructive purpose, save perhaps a self-serving one of
enhancing the President's popularity among persons already
opposed to busing. (The President's popularity had shortly
before taken its first plunge downward in the public opinion
polls, presumably because of deteriorating economic condi-
tions and his granting of a pardon to his predecessor.)
Enraged that the President would make such an untimely
remark, Boston Mayor Kevin White said that Mr. Ford had
"encouraged false hopes and fanned the flames of resistance
that will almost inevitably lead to further disruptions
in Boston...."[17] Shortly thereafter a new anti-busing
rally was being planned, blunt racist messages were scrawled
on many South Boston walls, and busing boycott leader,

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[16]See "Boston's Ordeal By Busing," Newsweek, LXXIV
(October 21, 1974), 37.

[17]Ibid., 38.

State Representative Raymond Flynn, rejoiced that, "with
the kind of things coming out of Washington these days,
we just may not have busing to worry about much longer."[18]

The arguments against busing that have been examined
thus far were subject in large measure to empirical confir-
mation or refutation. Two also contained fallacious rea-
soning. The final objection to busing that I want to discuss
involves a more complex claim which contains conceptual,
factual, and normative elements. This is the contention
that busing violates parents' right of freedom of choice.
It is clear from the way the phrase "right of freedom of
choice" is used by opponents of busing that it is supposed
to mean that parents ought to have the right of freedom to
choose what public school their children will attend. The
question, then, that I want to explore is whether, under
the present circumstances of American life, this right
claim is one which should be respected.

It seems appropriate to begin by briefly further clari-
fying the claim itself. First let us be clear about what
a right is. A definition suggested by John Plamenatz seems
to report accurately what we normally mean by the term
"right" when we use it as a noun in our ordinary moral
language. According to Plamenatz, a man has a right whenever,

> ...other men ought not to prevent him from doing what
> he wants or refuse him some service he asks for or
> needs.[19]

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[18]Ibid.

[19]John Plamenatz, "Rights," Proceedings of the Aristo-
telian Society, Supplementary Volume, 24 (1950), 75.

This definition is a good one because it illuminates the important features of rights. The appearance of the word "ought" in the definition signifies that "right" is a word used in moral contexts. How people ought to act is, as we have seen earlier, the basic subject matter of ethics.[20] A right morally entitles the bearer to a certain kind of conduct on the part of others (often noninterference) or to some other good.

Freedom is a concept closely related to the concept of a right. There are many uses of the word "freedom," but the kind of freedom we are concerned with in this particular issue is social freedom, as opposed to, say, feee will. By social freedom I mean freedom from restraint or coercion imposed by some other person(s). The following definition, I believe, accurately reports what we ordinarily presuppose in our use of the word "freedom" in this sense. I shall say that a man has freedom to do or have what he chooses when these two conditions obtain: (1) no social restraints exist to prevent or discourage him from doing or having what he chooses; and (2) he has the natural ability to do or have what he chooses. Notice that both of these conditions must obtain before we would ordinarily

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[20]There are, of course, nonmoral uses of the word "ought," such as the predictive use in which we say that something ought to happen as a result of something else. Plamenatz makes it clear in his essay, however, that it is the moral use of "ought" which is involved in right claims.

say that a man had freedom to do or have something. Natural
ability alone does not decide the question of freedom.
For example, we are naturally able to kill other persons;
but, owing to social restraints against killing, we are not
socially free to do so. Nor is a lack of natural ability
necessarily an abridgment of freedom. We are naturally
unable to walk upside on ceilings. But we would not say
that any abridgment of freedom as involved in this lack
of ability. Similarly, a lack of social restraints alone
does not give us freedom. There are no social sanctions
against flying to Mars. We simply are unable to do so.
But without the ability, despite the fact that no social
sanctions against Mars flights exist, we would not ordi-
narily say that someone was free to fly to Mars. Because
such a statement would strike us as sounding odd, we may
infer that such a statement would violate the implicit
rules that govern our ordinary uses of the word "freedom."
When we say that someone is socially free to do or have
something, we normally presuppose that he has the ability
to do or have that thing and that no social restraints
exist to prevent or discourage his having or doing the
thing in question. Let us turn now to a synthesis of the
concept of rights and the concept of a right of freedom.

The right of freedom of choice is a particular right
claim that claims the freedom to send one's child to what-
ever school one wants. But it raises the more general
question of how much freedom any person should be granted.

H.L.A. Hart's answer to this question is, I believe, a sound one. To wit,

> ...any adult human being capable of choice (1) has the right to forbearance on the part of all others from the use of coercion or restraint against him save to hinder coercion or restraint, and (2) is at liberty to do (i.e., is under no obligation to abstain from) any action which is not one coercing or restraining or designed to injure other persons.[21]

Any other approach to the question of how much freedom everyone should be allowed does violence to the fundamental principle of morality explicated in Chapter III which says that differences in treatment are permissible (and hence can be said to be not "coercing or restraining") only when (1) such differences benefit some person(s); (2) such differences are based on a relevant difference between the parties in question; and (3) this difference is freely acknowledged and accepted as being relevant by all parties affected.

Now this claim to a right of freedom of choice by opponents of busing is, I believe, a misapplication of the universal moral right of freedom, for it exceeds the morally permissible parameters for being such a right. As we have just seen, the moral limits of this general right are that one is free to do or have what one wants only insofar as what one wants to do or have does not "injure other persons" against their will. Drawing upon what we know about the

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[21]H.L.A. Hart, "Are There Any Natural Rights?," in Political Philosophy, ed. Anthony Quinton (New York: Oxford University Press, 1967), p. 53.

effects of segregated schooling, we can state the nature
of the injury done to other persons by the right of freedom
of choice in the following syllogistic fashion:

Major Premise: Segregated schools for poor black students
are inherently inferior in terms of student
achievement levels.

Minor Premise: The right of freedom of choice would result
in no busing and hence continued segregated
schooling in many areas (due to present
attitudes and housing patterns).

Conclusion: The right of freedom of choice would result
in inferior schooling for poor black students.

Opponents of busing, of course, claim that it is they who
are really injured by busing. It is for this reason that
they raise this rights claim in the first place. But our
previous analyses of all the foregoing arguments against
busing failed to detect any real injury necessarily connected
with busing per se.

The so called right of freedom of choice, then, is not
consistent with the view that everyone should be granted
the greatest amount of freedom consistent with similar
freedom for all. For the practical effect of granting
parents the right of freedom of choice would be to prevent
poor black children from having the higher quality schooling
received by middle and upper class whites in their segregated
schools.

When measured against the requirements of the moral
principle of impartiality, the moral shortcomings of this
right claim are readily apparent. It should be noted first
that this claim is made almost exclusively by middle and

upper class white parents who want to send their children
to segregated neighborhood schools. Now because the practi-
cal effect of granting them this right would be to deny
poor black students access to the higher quality schooling
enjoyed by white students, it is clear that the white claim-
ants, whether they realize it or not, are asking for pref-
erential treatment in the form of better schooling for their
children. This is so since the facts of the case show that
whites have access to higher quality education than is
accessible to blacks when busing is not employed. But in
making this claim to preferential treatment for their chil-
dren white parents have failed to establish any relevant
difference between themselves and blacks that would satisfy
the second and especially the third conditions of the princi-
ple of impartiality. Most blacks certainly do not accept
this differential treatment as being in any sense justified.
Unlike white parents, most blacks have consistently favored
integrated education,[22] even when busing was necessary to
achieve it.[23]

As concerns the claim to a right of freedom of choice

[22]E.g., a large national sample of black parents
responded 78% "yes," 9% "no," and 14% "unsure" to the
question, "Would you like to see the children in your
family go to school with white children or not?" See
Peter Goldman, Report From Black America (New York: Simon
and Schuster, 1970), p. 178.

[23]According to a nationwide Harris Poll taken in
March, 1972, blacks wanted busing where necessary to desegre-
gate schools by a ratio of about 5 in favor to 3 against.
See Louis Harris, "Antibusing Attitudes Harden," The Boston
Globe, April 10, 1972, p. 2.

made by most white opponents of busing, then, it can be
said that the claim is consistent with neither the idea
of equality of treatment and individual liberties, nor the
moral rules for granting preferential treatment.

A very few whites make a more bluntly racist contention
in this regard. Unlike the typical white opponent of
busing, they freely acknowledge that without busing blacks
are probably doomed to receive inferior schooling. To meet
the arguments of those who would claim that this is a cruel
and immoral position to take, such racists merely reply
that they are being perfectly consistent because if they
were black they too would be entitled to less than equal
educational opportunities. But the racists' claim here
wrongly assumes that consistency is all that is required
by the idea of morality. If it were a sufficient basis, then
we would all be morally free to ignore or contravene the
interests of any group of persons, as long as we did so
consistently. To reiterate the example from Chapter III,
we would be acting morally on this view if we burned all
red heads at the stake and not just some red heads. It
is clear, however, that we would not ordinarily consider
such conduct to be moral. When the logic of the racists'
claim is made explicit, it is clear why consistency alone
does not assure the moral rightness of one's acts.

What can be said about the few black parents who
oppose busing on the claim to a right of freedom of choice?
At first blush, one might conclude that the children of

such parents should not be bused. After all, this would only be taking into account the wishes of the group on whose behalf desegregation is presumably advocated. But such is not the case. Desegregation is advocated on behalf of black children, not their parents.

The salient question that lies behind this issue is why parents are allowed to control the actions of their children at all. The answer, I submit, is that parents are ordinarily granted rights over their children for the same reason we ordinarily grant anyone rights of another person, that is, we believe it will be in the best interests of the person placed in the subordinate position.

There are a few well known instances in which we do not leave some decisions that are crucial to the child's welfare at the unilateral discretion of the parent. For example, we require by law that all children go to schools that meet certain standards. And we make extreme punishment or other forms of cruelty illegal. The obvious presupposition behind such laws is that children are persons not chattel and that they are entrusted to the supervision of their parents primarily because it is felt that this will be in their own best interests.

As a result of their own isolation, anxieties, and misgivings, some black parents may not want their children to attend desegregated schools. But these wants are not the primary consideration in this issue. Rather it is the interests of black children that are of importance here.

For it is in virtue of the presumed benefits which accrue to children from parental authority that parents are justified in having any control over children at all. Hence the test of whether black parents ought to be granted the right to send their children to segregated schools is what it always is, namely, "Is such a right beneficial to the children?" It is beneficial for poor black children to attend segregated schools only if one is willing to view such things as crippling verbal and quantitative deficiencies, racist and separatist attitudes, high drop out rates, and feelings of not being able to make it in a hostile white controlled world as being benefits.

It is interesting to note that one of the staunchest defenders of individual liberties against governmental tyranny in the history of political philosophy, John Stuart Mill, almost seems to have foreseen this aspect of the busing controversy when, in his renowned On Liberty, he eloquently stated the case for the government taking an active role in protecting the welfare of children:

> A person should be free to do as he likes in his own concerns; but he ought not to be free to do as he likes in acting for another under the pretext that the affairs of another are his own affairs. The state, while it respects the liberty of each in what specially regards himself, is bound to maintain a vigilant control over his exercise of any power which it allows him to possess over others. This obligation is almost entirely disregarded in the case of the family relations, a case, in its direct influence on human happiness, more important than all others taken together.... It is in the case of children that misapplied notions of liberty are a real obstacle to the fulfillment by the state of its duties. One would almost think that

a man's children were supposed to be literally, and
not metaphorically, a part of himself, so jealous is
opinion of the smallest interference of law with his
exclusive control over them....[24]

In this chapter I have attempted to bring the general

approach to dealing with educational issues advocated by

this study to bear on the contemporary issue of busing.

The approach in this case invovled evaluating the simpler

separable pros and cons of the issue in terms of the extent

to which each of the arguments for and against busing

seemed to reflect a respect for logic, language, the facts

of the case, and the interests of all concerned parties.

In each case the procedure involved trying first to ascertain

whether the argument being considered was an empirical,

conceptual, or normative one or some combination thereof.

Once the claim was identified as to its kind, I tried to

evaluate it in terms of its compliance with the applicable

evaluative criteria. When, for example, the claim under

consideration contained an empirical component I attempted

to ascertain the extent to whcih the claim accurately

reported on the facts of the case. When the claim contained

a conceptual component I attempted to clarify the key

concept(s) invovled. When the claim contained a normative

element, I attempted to make clear the extent to which

the claim reflected an impartial respect for the interests

of all persons. And, because each of these claims was

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[24]John Stuart Mill, On Liberty (New York: The Liberal
Arts Press, Inc., 1956), pp. 127-128.

an argument, I tried to clarify in each case what was being derived from what, with the aim in view of establishing whether the conclusions drawn were warranted by the premises advanced.

In terms of their individual respect for the interests of all persons, logic, language, and the facts of the case the arguments advanced in support of busing outweigh those offered in opposition. On this basis, then, I have come to the tentative (that is, open to new arguments) conclusion that busing is one legitimate means of striving to attain ever nearer practical congruity with America's theoretical committment to equality of treatment.

CHAPTER VI
DISCIPLINE: AN ISSUE FOR ANALYSIS

> It is a commonplace of educational theory that the
> establishing of character is a comprehensive aim of
> instruction and discipline. Hence it is important
> that we should be on our guard against a conception
> of the relations of intelligence to character which
> hampers the realization of the aim, and on the look-
> out for the conditions which have to be provided in
> order that the aim may be successfully acted upon.
> --John Dewey

In this chapter, like Chapter V, I am going to try to
bring the approach advocated by this study to bear on another
controversial issue in education. The issue in this case,
discipline, is even more complex than the last one. Just
as it would be impossible to analyze the game of baseball
without talking about fielding, pitching, hitting, and run-
ning, it would be impossible to analyze the topic of disci-
pline in education without also discussing a number of con-
stituent topics which are themselves enormous, such as au-
thority, responsibility, punishment, and moral education.
I will begin by briefly describing the issue, or at least
what appears to be at issue.

Discussions about discipline usually call forth catch-
words and phrases like "permissiveness" and "the permissive
society." These locutions are indicative of a transfor-

mation that has taken place in American society with respect
to child rearing. Among the strict and stiff beliefs that
the early Puritan settlers of this country brought with
them was the notion that dictatorial authority by parents
and schoolmasters was necessary to "break the child's will"
if he was to grow up with a righteous conscience.

But, with the advent of modern psychology and especially
Freudian psychoanalysis, there came an almost 180 degree
shift in thinking about discipline. Americans were told
by child psychologists that any form of discipline could
and probably would cause serious damage to the child in
the form of inhibitions, hatred, and rebellion. And thus
was born a hands off, "let them be happy" school of thought.
The disciplinary metamorphosis was complete. Now it was
the children's turn to be the dictators.

Unfortunately the extremes in this transformation
have become the poles in the current debate over disci-
pline. Hence the widespread assumption seems to be that
the issue of discipline essentially involves a choice
between prohibiting things and permitting them. In the
mouth of someone like Max Rafferty, the expression "the
permissive society" makes one believe that its user con-
siders it a good thing, for its own sake, to prohibit
things, and a bad thing to permit them. In the mouths of
people on the other side, it gives one the impression that
to permit anything is to strike a blow for liberty and justice,

and that, in A.S. Neill's words, "...to impose anything
by authority is wrong."[1]

In this chapter, instead of taking one side or the other
in this controversy, I hope to indicate and then follow
a plan of operations that will proceed from a more telling
point of view than is represented by the ideas and practices
of the contending parties. As long as the issue of discipline
is formulated as a question of simply whether to be more
prohibitive or permissive, the debate over that issue is
not likely to be very productive. If, however, we advert
to a prior level of analysis of the concept of discipline
itself and its connections with some key related concepts,
including general education, punishment, and moral education,
then perhaps we will be able to establish what kinds of
(as opposed to merely whether) things ought to be prohibited
and permitted.

If this plan is successful it will enable me to clarify
the importance of discipline in general education, the
proper role of punishment in maintaining school discipline,
and the significance of discipline in moral education.
In each of these areas I will try to draw out some general
policy implications of these conceptual distinctions and
connections. And in a final section I will explore some of
the causes and possible remedies of several specific disci-

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[1]A.S. Neill, Summerhill: A Radical Approach to Child
Rearing (New York: Hart Publishing Co., 1960), p. 14.

pline problems that frequently arise in schools.

The Concept of Discipline

There are roughly five general ways we ordinarily use the word "discipline." A brief review and comparison of these uses reveals at least two salient features of the concept of discipline. The first of these uses refers to "a branch of knowledge." Here we speak of physics, biology, mathematics, and so on as being disciplines.

Second, there is a use which refers to "training that seeks submission to some body of rules or principles." For example, we sometimes speak of the process of military basic training as being discipline training.

Third, there is a use that refers to "the product of such training." Here, for example, we speak of well disciplined troops.

Fourth, there is a use that refers to "the body of rules or principles themselves." To continue the military context, it may be noted that we speak of military discipline.

And fifth, there is a use that, like the second use above, refers to training which results in submission to some body of rules or principles. The difference here is this use refers to corrective training which occurs only when the trainee breaks one of the rules or principles in question. This use, then, is synonomous with "punishment." Here we speak, for example, of disciplining misbehaving students.

A thread that is common to all of these uses and which
unites them is the idea of submitting to rules or principles.
This notion is plainly evident in each use, save perhaps
the first. Even there it becomes readily apparent when
one realizes that bodies of knowledge are called disciplines
presumably because learners in these fields must learn
and obey the rules or principles which structure these fields
of knowledge. By the "structure" of the disciplines I mean
the kinds of thinking and procedures that distinguish one
body of knowledge from another.

Notice too that the idea of learning is very much a
part of these several uses. This is not too surprising
when one discovers that "discipline" is derived from the
Latin infinitive, discere, which means "to learn."

At the center of the concept of discipline, then, is
the general idea of submitting to rules or principles which
define something that is supposed to be learned. What is
supposed to be learned can be any identifiable body of
knowledge from philology to dry fly fishing.

We ordinarily distinguish between two general types
of motivation leading to a person's submission to rules
or principles. The distinction here is between self-imposed
discipline and discipline imposed by others. In the field
of education one frequently hears it said that education
is a process of transferring discipline from without (from
teachers, parents, et al.) to the individual himself (self-
discipline). To see if this is a tenable axiom, and I

believe it is, it will be useful to view the concept of
discipline in the context of general education.

Discipline and Education

If teaching and learning are to go forward successfully
there must be a submission on the part of the student to
two kinds of rules. These are (1) the rules of decorum
that set the stage for teaching and learning, and (2) the
rules that structure the subject matter to be taught and
learned. The former are simply rules of order that make
it possible for information and opinions to be exchanged
freely. The latter are the rules which define the way(s)
of thinking and kind(s) of procedure(s) that are constitutive
of the subject matter in question. It is to be hoped ul-
timately that the student's submission to these rules
(both the conditional and the structural) will be self-
imposed. To see why this is so it will be necessary to
make the idea of self-discipline clearer.

I think we would ordinarily say that a student's sub-
mission to the rules of learning was self-imposed if the
student viewed the subject matter to be learned as being
either something of intrinsic interest to him or else as
being something instrumentally worth learning in order to
be able to understand or do something of more direct inter-
est to him. An example of the first type of submission
would be the student who somehow becomes intrigued by the
night sky and undertakes to learn something about astronomy.
An example of the second type of submission would be a

college student who, upon deciding to go into physical education and coaching, sets himself upon the task of taking and passing all of the courses required for a degree in physical education, even though many of these courses may be of no direct interest to him.

I have spoken thus far as if the distinction between submission based on direct interest and submission based on instrumental interest were hard and fast. Actually there is often overlapping here. Even in the case of the student who wishes to study astronomy, not every detail of astronomy will be of felt interest to him. Yet such details may be necessary if he is to learn other details which are of more immediate interest to him. Hence it is more accurate to think of self-discipline as being a submission to rules which may fall anywhere along a continuum of interest ranging from that which is predominantly intrinsic to that which is predominantly instrumental. The residual and uniting feature of all such cases is the aspect of interest. Self-discipline is a submission to rules that is motivated primarily by the student's felt interest in either what is to be learned or in what is to be made possible by some means-end learning.

By contrast, discipline imposed by others involves a submission to rules that is motivated primarily by other persons' desires, urgings, threats, and so on. It is true, of course, that the motivation in such cases is not completely from without. A student genuinely may wish to please his teachers, parents, or other authority figures. Or he

may simply wish to avoid their censure or punishment. He
may also be reacting to peer preasure. Or perhaps external
awards have been attached to the learning process by parents
or teachers. For example, a student might be promised some
material good if he maintains a certain grade point average.
This is not the same thing as our student who is willing
to endure courses in kinesiology and anatomy to become a
physical education teacher and coach. For, while the aspiring
coach probably wishes he did not have to take these courses,
he recognizes that a reasonable case can be made for their
inclusion in his studies. Thus the end in this case is not
as alien and unrelated to the means in the way that a material
reward, a threat, peer pressure, and so on are unrelated
to learning. Our aspiring coach is interested in most aspects
of physical education. Only these few courses are not of
immediate interest to him. And even in the case of these
courses, he sees their relevance. Whereas the student who
has been promised some material good for maintaining a
certain grade point average has not been given any reason
to become genuinely interested in any part of the curriculum.
His interest in the total curriculum could easily be <u>com-
pletely</u> instrumental. This is to say that he need have no
felt interest in what is being learned at all.

To sum up, then, in all cases where discipline is imposed
by others the learning that transpires is not motivated
primarily by any interest in the subject matter <u>per se</u>.
Instead the student is motivated by others playing upon

his desires and fears through the use of things that are
unrelated to what is being learned.

The distinction between self-discipline and discipline
imposed by others brings into sharper focus the educational
significance of the concept of interest. In John Dewey's
words,

> It is hardly necessary to press the point that
> interest and discipline are connected, not opposed.
> (i) Even the more purely intellectual phase of trained
> power--apprehension of what one is doing as exhibited
> in consequences--is not possible without interest.
> Deliberation will be perfunctory and superficial where
> there is no interest. Parents and teachers often
> complain--and correctly--that children "do not want to
> hear, or want to understand." Their minds are not
> upon the subject precisely because it does not touch
> them; it does not enter into their concerns.[2]

Dewey's point is that discipline in education that is
imposed by others is artifical. It sets up an artifical
connection between what is wanted or feared and the submis-
sion to rules. Prizes and pain present very general and
extrinsic objects of desire and aversion that are tacked
on to the learning process in a meretricious way. Hence
what is learned is not just the subject matter at hand but
an instrumental attitude about learning, an attitude in
which learning is not perceived as being interesting and
enjoyable but as being only so much drudgery to be put up
with in order to avoid censure or obtain unrelated rewards.
If, then, education is to avoid this kind of pejorative
attitude toward learning, educators must become skilled at

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[2]John Dewey, _Democracy and Education_ (New York: The
Free Press, 1966), p. 129.

detecting, building upon, and broadening the interests of individual students.

It is important to note also that self-discipline is not just a means to becoming educated. For if one of the goals of schooling is to produce persons who will go on learning throughout life, then self-discipline is also an end of education. This is what is meant in the description of education as both a means and an end. Self-discipline is an end of schooling because we seek to produce in our schools persons who will go on learning on their own without artificial inducements and in spite of serious obstacles because they have come to view learning as an enjoyable thing. This, then, is another reason why teachers should try to teach by building on student's interests thus making learning a happy experience, one that will be continued after artificial motivations are removed.

I hasten to add here, however, that by emphasizing the importance of teaching by building on interest I am not endorsing the view that the child's felt interests should be the primary guides for determining curriculum content. Educators cannot be concerned only with what catches a child's attention and absorbs him. Insofar as the school is presumed to stand in loco parentis (that is, in place of the parent) educators must also be concerned with what is good for the child. The teacher hence must be concerned with what is in the child's interest as well as what the child is interested in.

Obviously if what was in the child's interest always coincided perfectly with what the child was interested in, there would be little need for departments of curriculum and instruction in colleges of education. But the coincidence here is far from perfect. For what is in the child's best interest frequently does not interest him. And things which are of interest to him, say shooting birds with an air gun, may be of little value in terms of his best interests. These facts plus the fact that children's interests tend to be sporadic and evanescent at an early age strongly suggest that the points of entry into the curriculum, not the curriculum itself, should be tailored to the child's felt interests.

There are a number of ways teachers can build on interest. Most of them require close contact with the student. (This is a strong argument in favor of keeping student/teacher ratios low.) A standard preliminary step in building on interest is to interview one's students and elicit from them what gets their attention, what their hobbies are, what absorbs them, in short, what interests them. This knowledge then enables a skilled teacher to find and point out connections between what is to be learned and the student's interests. A simple example would be the arithmetic teacher who, upon learning that a student is interested in baseball, uses problems in computing earned run averages, batting averages, and so on to sharpen the student's skills at multiplying, dividing, and handling decimals.

Another way to build on (and in this case, evoke) interest is to pose perplexing problems to students. This may be done in subjects that are familiar to the students as well as in those that are unfamiliar. In the case of the familiar, skilled teachers are sometimes able to point out to students things they did not know about the subject or inconsistencies in their beliefs about the subject, with the resulting effect being that disssonance is generated in the student's mind which he will seek to alleviate by learning more about the subject. The teacher might be said to be inciting learning in such cases. He is exposing insights, connections, inconsistencies, and possibilities heretofore unseen by the students with the hope of creating wonder and ferment. To take an example from the field of moral education, imagine the student whose moral reasoning has not progressed beyond the "my country right or wrong" level of reasoning. Presumably some dissonance might be created, interest evoked, and learning facilitated by asking the student to ponder questions like: If you had lived in Germany during World War II, would it have been morally better to support the Hitler regime or to try somehow to escape or disregard the authority of the Nazi government?

It is also frequently possible to structure one's teaching so that the resolution of one perplexing in some field leads to the recognition of a new interesting problem to be explored. To take an example from the field of astronomy, suppose that one's students have just found out

that the reason why planets and other satellites in space
which are all really "falling objects" do not fall into the
body whose gravity is causing their fall is that they have
attained sufficient momentum to maintain their orbit without
falling into the larger body. This is a nice problem and a
satisfactory solution. But the solution poses another
nice problem, namely, who or what put the falling objects
into their orbits?

To sum up, the points of entry into the curriculum
should be tailored as far as possible to coincide with students'
interests. This is so because such an approach is more
likely to lead to the most fruitful and nonartificial type
of self-discipline learning. And self-discipline is also
constitutive of one of the primary ends of education, namely,
the propensity to go on learning after one's years of formal
schooling are finished.

Discipline and Punishment

The picture painted thus far of discipline in education
has been a rosy one envisioning students fast at work at
the business of learning about things that have been made
of some interest to them. But every teacher, no matter
how adept at his craft he may be, encounters student mis-
behavior. There are steps short of punishment that can be
used to maintain order, such as ignoring minor missteps,
gesturing, verbally requesting a misbehavor to stop what-
ever he is doing, counseling, and so on. These measures

will be explored later in this chapter in connection with several of the more commonplace school discipline problems.

Occasionally, however, these steps will be insufficient to meet the demands of the situation. In this section I want to discuss punishment as a means of maintaining submission to the rules of order in schools. Specifically, I am going to clarify the concept of punishment, justify punishment's existence in schools, explore the effects of different forms of punishment, and mark off the limits of punishment's disciplinary utility.

The Meaning of Punishment

If this section is to be about punishment, it seems appropriate to attend first to the conceptual matter of clarifying what punishment is. If one wishes to grasp the central idea of punishment, there is first of all a loose sense of the word that must be acknowledged. In this sense of the word, "punishment" simply means any stimulus that a person seeks to avoid or escape. Thus educational psychologists, for example, speak of punishment as being any pain inflicted in order to teach students rules not yet known to them. Or, in nonschool contexts, we might say that a boxer took a lot of punishment in the ring from his opponent. The point is that this loose sense of the word is broader than the central sense of "punishment" that is of interest to us here. It is this more central sense that

I now will discuss.[3]

Consider the student who is made to stay after school
for having set off a firecracker in study hall. This sort
of case seems to be exemplary of the kind of punishment that
is of importance in maintaining order in schools. What are
some of the salient features of this paradigm case? Notice
first that this sense of "punishment" involves the impo-
sition of a penalty. That is, punishment involves inflicting
disagreeable experiences (in this case, staying after school).
Notice too that this sense of "punishment" requires that the
penalty inflicted be a consequence of the punishee's having
committed some offense (in this case, disrupting study hall).
Finally, notice that the penalty is inflicted by someone
in authority (in this case, school authorities). To over-
look these last two aspects of punishment places us back in
the realm of any disagreeable experience being counted as
punishment. The central idea of punishment, then, may be
defined as the imposition of a penalty by an authority for
having committed an offense.

The Justification of Punishment

It is one thing to understand what punishment is. It is
something else to give justificatory reasons for why punish-

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[3]The analysis of the concept of punishment that fol-
lows in the next paragraph closely parallels treatments of
this topic by John Wilson and R.S. Peters. See John Wilson,
Thinking With Concepts (London: Cambridge University Press,
1966), pp. 96-111; and R.S. Peters, Ethics and Education,
pp. 173-175.

ment should exist. This question is largely a normative
one concerning the right to punish and the rights of punish-
ees. But there are also conceptual points that will need
to be made along the way, such as clarifying the two major
theories of punishment. And there are some empirical points
to attend to concerning the effects of punishment on students
and the legal rights of students with respect to punishment.

In general, there are two theories concerning why
punishment should exist. These are the utilitarian and
retributive justifications of punishment. Utilitarians
argue that punishment should serve some useful end; that
is, it should be used to bring about some desirable _result_,
such as reform of the offender, deterrence of similar offenses,
and so on. The utilitarian view is epitomized in the fol-
lowing statement by two modern legal scholars:

> Since punishment consists in the infliction of pain
> it is, apart from its consequences, an evil; conse-
> quently it is good and, therefore, just only if and
> to the degree that it serves the common good by ad-
> vancing the welfare of the person punished or the
> rest of the population.[4]

At least two objections to this justification seem
fairly obvious and, therefore, deserving of attention.
First, it might be objected that this view of punishment

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[4]Jerome Michael and Herber Wechsler, _Criminal Law
and Its Administration_ (New York: Foundation Press, 1940),
p. 14. The classical source of the utilitarian view of
punishment is, of course, Jeremy Bentham, _An Introduction
to the Principles of Morals and Legislation_ (New York:
Hafner Publishing Co., Inc., 1948), Chaps. 12-15. Michael
and Wechsler are quoted here because their statement provides
a more concise account of the utilitarian view than is
available in any single passage in Bentham's work.

need not take into account excuses. This is so since it
seems clear that punishment would have the strongest deter-
rent effect if it were common knowledge that <u>all</u> behavior
of a certain sort would be punished, irrespective of ex-
cuses.[5]

The utilitarian can defend against this objection on
three grounds. First, the fact that all behavior of a cer-
tain kind would be punished would not deter from crime many
persons whom we would excuse otherwise, for example, the
insane, the misinformed, persons acting under external
compulsion, and so on. Second, punishment of this sort
could possibly increase offenses by breeding disrespect
for the kind of law which punishes the insane, ignorant,
and coerced. Third, such punishment would have the unhappy
result of breeding insecurity among the populace. Who would
dare to drive a car, for example, if first degree murder
and the accidental running down of a pedestrian were both
punished by the same punishment? For all these reasons,
then, utilitarians are sympathetic to excuses, and hence
this objection does not pose a serious threat to the utli-
tarian view of punishment.

A second fairly obvious objection to this view of
punishment is that utilitarins justify too much. What if

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[5]This objection is raised by H.L.A. Hart, "Legal Re-
sponsibility and Excuses," <u>Determinism</u> <u>and</u> <u>Freedom</u>, ed.
Sidney Hook (New York: New York University Press, 1958),
pp. 81-104.

a particular crime becomes common and none of the criminals can be caught? Would it not be allowable or even obligatory on the utilitarian view to punish an innocent person, if a charge could be so framed that he would be universally thought to be guilty by the populace? Would this not have the same deterrent effect sought by utilitarians?[6]

This objection has merit insofar as it draws attention to the overemphasis of results (as opposed to the motives and intentions of agents) in utilitarian ethical theory in general. But it is not a very damaging objection to a utilitarian justification of punishment. For the utilitarian's defense is a conceptual point. What is being justified here is punishment, nothing more, nothing less. And punishment, by definition, is administered only to persons who have committed an offense. Thus this objection to a utilitarian view of punishment is essentially beside the point.

The other traditional justification of punishment is the retributive theory. On this view the justification for punishment is that when a person commits a crime he violates the ideal of equality of treatment among persons, that is, he wrongly tips the scales of justice in his favor. Hence to perpetrate a crime on someone else is to invite the same crime on oneself. That is, if the scales of impartial justice are to be returned to perfect balance, offenders

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[6]This objection is raised by E.F. Carritt, Ethical and Political Thinking (Oxford, England: Oxford University Press, 1947), p. 65.

must be punished in exact proportion to the severity of the
offense committed. The author of this view is Kant who
asked,

> What kind and what degree of punishment does public
> legal justice adopt as its principle and standard?
> None other than the principle of equality (illustrated
> by the pointer on the scales of justice), that is,
> the principle of not treating one side more favorably
> than the other. Accordingly, any undeserved evil that
> you inflict on someone else among the people is one
> that you do to yourself. If you vilify him, you vil-
> lify yourself; if you steal from him, you steal from
> yourslef; if you kill him, you kill yourself. Only
> the law of retribution (jus talionis) can determine
> exactly the kind and degree of punishment....7

To summarize, the retributivist holds that it is a basic
principle of morality that pain or loss should be caused
to persons who have done wrong, with a severity corresponding
to the gravity of their offense. Here again there are some
objections which come to mind quickly.

First, one might think that this view constitutes
little more than a formalized procedure for revenge. But
such is not the case. Actually retributivists view all
persons as autonomous beings worthy of respect. They evidence
their respect for offenders through punishment which, in a
sense, the offender has "earned." That is, retributivists
believe that people who harm others could and should do
otherwise. And thus, a rational person who commits an offense
must not be allowed to profit from his misdeed. It should
be noted too that retributivists are generally willing to

7John Ladd (trans.), The Metaphysical Elements of
Justice, by Immanuel Kant (Indianapolis: Bobbs-Merrill,
Co., 1965), p. 100.

stipulate that an offender's guilt and punishment should
be decided fairly by persons not directly affected by the of-
fense in question. Retributivism and revenge, then, are not
the same things.

It might also be objected that the notion of punishing
soneone in proportion to the gravity of his offense raises
some serious practical problems: what to do with the rapist,
the blackmailer, and so on. But the retributivists can reply
that it is not so important that the offender be repaid in
kind as it is important that he be repaid in proportion.
And, while it might be difficult to rank crimes in order of
their gravity, such a task is not impossible. In fact, we
normally do so anyway.

These, then, are the two principal justifications for
the existence of punishment. How relevant are these reasons
for punishment to the educational setting? The utilitarian
view seems better suited to the business of schools. This
is so since schools unlike courts are in the business of
education. That is, if the business of schools is education,
then punishment in schools would seem to make the most sense
if it could be shown that it had some deterrent and or reforma-
tive effect on student misbehavior thus helping to maintain
the conditions of order necessary for teaching and learning.
This is a utilitarian view of punishment, for it focuses on
the beneficial _results_ to be obtained from punishment rather
than restoring balance to the metaphysical scales of justice.
The retributive view seems somewhat misplaced in educational

contexts for two reasons. First, it is not concerned with any effects that might result from the use of punishment which might facilitate or disrupt the educative process. And second, it assumes something about offenders that may not be true of students, namely, that they are autonomous beings just as adults are presumed to be. Evidence compiled by most psychologists studying personality development, such as Piaget, Williams, and Kohlberg, suggests that children are not fully but only potentially autonomous beings.[8] Hence it seems unfair to hold them to the same standards expected of adults or, more precisely, to punish them as if they were adults.

Is this utilitarian justification of punishment in education compatible with the moral point of view explicated in Chapter III? I believe it is. For it is predicated on the view that teachers and students ought to be free to pursue their interests in teaching and learning without disruptions from disorderly students. I do not mean to imply by this statement that punishment can teach students moral respect for the interests of others. In fact, most of the research on punishment in education indicates that punishment is basically ineffective in this regard. What punishment can

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[8]See, e.g., Lawrence Kohlberg and Eliot Turiel, Moralization Research, the Cognitive Developmental Approach (New York: Holt, Rinehart, and Winston, 1971); Norman and Sheila Williams, The Moral Development of Children (New York: Macmillan, 1970); and Jean Piaget, The Moral Judgment of the Child (London: Routledge and Kegan Paul, Ltd., 1932).

do, however, is deter and reform disruptive <u>behavior</u>.

So much for the rights of the teacher and orderly students, what of the rights of the punishee? For reasons made clear in Chapter III a person who has broken a rule or law designed to protect or further the legitimate interests of all cannot object to punishment <u>per se</u>, since to claim that only his interests need be respected is a duplicitous defense. But what he can object to, insofar as he is still a person and not merely an object to be used as a means only, is that he not be punished in a fashion any more unpleasant than that which is likely to deter similar offenses and reform the punishee's behavior. These constraints on the uses of punishment are what is required by the idea of impartiality. They limit the severity of punishment to that which is necessary to protect the legitimate interests of all persons.

This is an appropriate place to point out that, if a student is charged with a serious offense which will draw a stiff penalty, he should be allowed--like anybody else--to try to prove his innocence or diminished responsibility, if he wishes to do so. This right is consistent with the democratic approach to the running of social institutions advocated in Chapter III. Among the democratic precepts enumerated there was the view that every person should be granted the most extensive set of liberties consistent with similar liberties for all. The right to defend oneself against charges of having committed a punishable offense must be one such liberty. For without a guarantee of this liberty, social

institutions may charge, convict, and punish any person who
may have made himself unpopular with institutional authorities,
irrespective of his guilt or innocence of the charge brought
against him. This moral right, then, is a safeguard against
arbitrary institutional coercion and tyranny. It seems appro-
priate to mention here also that this moral right has been
made a legal right by a number of U.S. Supreme Court cases.
Together, these cases effectively extend to students in public
school disciplinary proceedings the basic rights of due
process normally accorded adults in legal proceedings. In
the Tinker case, which involved the suspension of a number
of students for wearing black armbands to school in protest
of the Vietnam War, the Court ruled that the students had been
wrongly deprived of their right to free speech. The Court
went on to declare that public school students are "persons"
in the eyes of the constitution and are hence entitled to
First Amendment rights.[9]

In Goss v. Lopez the Court ruled that public school
students have a right to the minimum procedures of due process
required under the Fourteenth Amendment before they may
legally be suspended from school. In practice this means,
at a minimum, that the student and his parents must be given
prior notice of the student's suspension. The student and
parents must be given an opportunity to be present at a hearing

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[9]John F. Tinker v. Des Moines Independent Community
School District, 393 U.S. 503 (1969).

before a school administrator who will determine if a suspension should be imposed. The administrator is not required to permit the presence of legal counsel or to follow any hard and fast judicial rules. However, he must provide statements of the charge(s) against the student, and he must permit the student or others whose presence is requested by the student to make statements in defense of the student. Finally, the administrator must notify the student and parents of his decision and, if suspension is imposed, his reasons for the suspension and the number of days of the suspension. The only exception to these procedures permitted by the Court relates to cases in which a student's presence poses a clear and immediate danger to persons, property, or the academic process. In such cases, the notice and hearing must follow the suspension as soon as practicable.[10]

In _Wood_ v. _Strickland_ the Court went a step further and ruled that a school official is,

> ...not immune from liability for damages...if he knew or reasonably should have known that the action he took within his sphere of official responsibility would violate the constitutional rights of the student affected, or if he took the action with the malicious intention to cause a deprivation of constitutional rights or other injury to the student.[11]

These, then, are the basic common-law facts which teachers should be aware of, as well as the statute laws that govern

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[10]These procedures were drafted by Columbus, Ohio school officials (the defendants and losers in _Goss_) and have since been adopted by most school districts in the country. See, "Student Suspensions," _Nation's Schools and Colleges_, 2 (April, 1975), 33-37.

[11]Quoted in _Ibid._

school punishment in the teacher's own state.

In discussing the justification for punishment thus far I have been assuming that punishment _can_ protect the interests of other persons in the classroom. I should point out that there are actually three ways in which punishment can do this. First, there is the conceptual point that, when punishment takes the form of exclusion, the unruly student is no longer present to disrupt others. And there is empirical evidence to support the assumption that punishment **can** protect the interests of others in two more ways. This protection is accomplished by (1) the deterrent effect on disorderliness that the existence of punishment can have, and (2) the reformative effect upon behavior of unruly children that punishment can have.

As concerns deterrence, the best available evidence suggests that punishment has the greatest deterrent effects when misconduct is punished dispassionately, consistently, quickly, and in moderation.[12]

The reformative effects of punishment are less substantial. Here the evidence suggests that punishment alone has little lasting effect on improving the behavior of unruly students. Short term changes can be produced by punishment.[13]

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[12]These are the conclusions of the largest study of the deterrent effects of punishment. See Jerome S. Kounin, Paul V. Gump, and James J. Ryan, "Explorations in Classroom Management," Journal of Teacher Education, 12 (1961), 235-246.

[13]Edward L. Thorndike, The Fundamentals of Learning (New York: Teachers College Press, 1932).

But here again, there is no evidence to substantiate the hypothesis that punishment can improve a student's moral reasoning. It can only make him behave in a more orderly fashion for a while. Presumably, if there is any reasoning behind such changes in behavior, it is what might be called prudential reasoning, as opposed to moral reasoning. That is, the student comes to realize that, if he wishes to avoid penalties, he must not disrupt the efforts of others in the classroom.

It should be noted too, however, that punishment can have the effect of reinforcing a student's view of the school as being an instuitution whose main concern is forcing him to do things which are of no interest to him. This is apparently especially true of cases in which school officials try to use fear tactics to maintain order by frequently threatening students with harsh penalties even though they have not yet done anything wrong.[14]

While punishment alone seems to have only short term effects on conduct, reward (especially in the form of praise) does seem to have significant and more lasting effects on conduct.[15] This fact calls into prominence at least two

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[14]Albert Zander and Theodore Curtis, "Effects of Social Power on Aspiration Setting and Striving," Journal of Abnormal Social Psychology, 64 (1962), 63-74.

[15]See, e.g., C.H. Madsen, W. Becker, and D.R. Thomas, "Rules, Praise and Ignoring: Elements of Elementary Classroom Control," Journal of Applied Behavioral Analysis, 1 (1968), 139-150.

noteworthy points. First, desirable behavior should be praised from time to time. And second, punishment, if it is to have a more lasting effect, might be joined with a means of making restitution which could subsequently be praised. This approach would seemingly have a better chance of shaping more socially acceptable behavior than punishment alone.[16]

The Forms of Punishment

Having clarified the meaning of punishment and presented good reasons for the existence of punishment in education, I will take up next the question of what forms of punishment seem most appropriate for the educational setting. The question of what forms punishment in education <u>can</u> take is a conceptual and empirical matter. The question of what forms it <u>should</u> take is largely a normative and empirical matter. I begin with the former conceptual considerations.

In general, punishment in education may be divided into two forms: (1) the infliction of pain and (2) the removal of reinforcers. Examples of the former would be verbal reprimand, dirty looks, and corporal punishment. Examples of the latter would be cancellation of social club membership, expulsion, not being permitted to sit near friends in class, loss of a prestige symbol (such as being a patrol

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[16]Indeed, research by Hunter seems to confirm this hypothesis. His studies suggest that punishment coupled with restitution and reward has a more lasting effect on behavior than punishment alone. See Michael Hunter, <u>Reinforcement</u> (El Segundo, California: TIP Publications, 1967).

guard or caretaker of the classroom pet), and so on.

The distinction between these two forms of punishment is not hard and fast. A spanking which is clearly a case of inflicting pain might also be construed as a removal of a reinforcer (love) when administered by a teacher with whom a student has a warm relationship. It is probably more accurate, therefore, to conceive of these two forms of punishment as existing along a continuum rather than being dichotomous. Thus the difference in this distinction lies in which form of punishment one chooses to underline emphasize. I turn now to the normative and empirical questions of what forms of punishment should be used in education and how they should be administered.

In terms of its deterrent and reformative effects on student behavior, the infliction of pain has very little utility, according to the best available evidence. And it should be noted also that the use of this form of punishment frequently produces unwanted effects, such as alienation of the students, increased hostility toward school officials, and student approaval of misbehavior. The unwanted effects seem to be the result of the degrading and personalized aspects of the infliction of pain.[17] It is hard to use this form of punishment (for example, reprimand, dirty look, spanking) in an impersonal way. There is evidence which

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[17]H.H. Anderson and J.E. Brewer, "Studies of Teachers' Classroom Personalities, II: Effects of Teachers' Dominative and Integrative Contacts on Children's Classroom Behavior," Applied Psychological Monographs, 8 (1946).

suggests that when personal hostility in administering any kind
of punishment is held to a mimimum the punishment produces
more wanted effects and less unwanted ones.[18]

As a general rule, the infliction of pain form of
punishment should be used only as next to the last resorts
in those cases where a student's misbehavior is firmly entrenched
and other forms of behavior modification have been exhausted
to no avail. (The last resort would be suspension, a punish-
ment which, as will be seen shortly, is more a case of with-
holding reinforcers than inflicting pain.) My contention
that the infliction of pain should be used only as a next
to the last resort is based on a conceptual point and an
empirical point. It was seen earlier why punishment in
education is justified by its deterrent and reformative
effects which can help to maintain the conditions of order
necessary to teach and learn. And the facts of the case
are that the infliction of pain form of punishment often
produces undesired side effects and minimal desired effects.
Other more effective types of punishment, therefore, should
be exhausted first.

When, as a next to the last resort, the infliction
of pain is used there are some guidelines which might help
make this form of punishment less likely to produce the
undesired side effects which it might otherwise spawn. As
was noted above, research suggests that the personalized

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[18]Ibid.

nature of this form of punishment contributes to the unde-
sired side effects it often produces. In general, then, the
guideline should be to try to use this form of punishment
in as impersonal a way as circumstances permit. In the case
of reprimands sarcasm should be avoided. For example, it
seems better to say to a bothersome student, "Johnny you
would do better to be quiet while Alice is speaking," than
to say, "Johnny you can't keep your big mouth shut can you?"
In the case of corporal punishment, it seems reasonable that
it be administered by a "designated hitter," someone not
directly involved in the case. This will make the punishment
less of a personal affair. And it will help to ensure that
the punishment causes no more serious physical pain than the
momentary sensation intended.

Generally speaking, the second form of punishment,
the removal of reinforcers, is a more reliable form of punish-
ment in education. Unlike the infliction of pain, when a
reward is withheld and ways are specified to regain it, an
important social lesson can be learned by the student.
The lesson is that he must assume responsibility for the
consequences of his acts. If he wants some reward, he knows
what must be done to earn it. If he contravenes the inter-
ests of others in the school, he also knows what will happen.
Whatever sorts of experiences he undergoes in this regard,
he brings on himself. There will be no emotional fanfare
if and when he interferes with the interests of others.
Instead, quickly, consistently, and unemotionally he will

be denied some good which he might otherwise have expected to receive.

There are, of course, as many specific ways of utilizing this form of punishment as there are things which students find reinforcing. I take this opportunity to discuss two commonly used procedures in this category which educational research has shown to have a high degree of success in producing deterrent and reformative effects on student behavior. These are the so-called "time-out" (or dismissal) and "exclusion" (or suspension) procedures.

The time-out punishment invovles isolation from the group. When this procedure is adopted the teacher announces early on in the school term that the principle of mutual respect will be in force in that classroom. By this it is meant that the teacher is there to teach, the students there to learn, and that these interests are not to be frustrated arbitrarily by anyone. Hence the teacher must treat the students with respect, never humiliating them. And the students must not violate the teacher's freedom to teach nor their classmates freedom to learn. When an infringement occurs, the teacher simply points to the violator, and he removes himself from the room without fanfare to some previously delegated isolation area. The student must remove himself under this arrangement, but he is also free to return just as soon as he feels he is ready to respect the interests of others.

While it often takes time for such a procedure to be

accepted by students as one which is in all of their best interests, once it is seen as such, it can work very well as a means of maintaining classroom order. First, it immediately removes the disorderly. And second, it has substantial deterrent and reformative effects on student behavior. Research suggests that there are some variables that can make this procedure a failure or success:[19] First, removal from the class must indeed be perceived by the student as punishment. If the student is able to talk to friends who pass by in the hall or motion to friends in the classroom, then the time-out procedure is not a removal of a reinforcer, it is merely an exchange of one enjoyable experience for another. Ideally, then, the student should be banished to a dull unstimulating room. Second, the instruction in the classroom to a significant degree must be addressed to the felt interests of the students, otherwise their presence in class will not be perceived by them as a loss when they are sent outside. And last, the chances of this system working are, of course, greatly enhanced, if the punitive consequences for misbehavior have been previously agreed on by the teacher and students.

Exclusion (or suspension) is a punishment similar to the time-out procedure. The difference between the two is that, in the case of exclusion, the student is sent home and

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[19]See N.E. Hall, "The Youth Development Project: A School Based Delinquincy Prevention Program," Journal of School Health, 36 (March, 1966), 97-103.

for a specified length of time. This is usually perceived by
students as a serious measure. It is estimated that about
one in every 500 students will need this type of punishment
to impress upon him the seriousness of his misconduct.[20]
Systematic exclusion seems to improve (reform) individual
students' behavior in about 99 percent of the times it is
used.[21] One might think that staying in school is not re-
warding to most students and that suspension is thus not
punishing. Research indicates, however, that for most public
school students, including disorderly ones, school is rewarding
and exclusion is effective in deterring disorder and in pro-
ducing more acceptable behavior among the disorderly.[22]
Common sense suggests that some of the variables which contribute
to the success or failure of time-out procedures probably also
obtain here, that is, interest based instruction, prior agree-
ment, and so on. (Incidentally, as concerns the importance
of prior agreement, it is a good idea as a practical matter
to review school rules on a periodic basis with all factions
of the school population represented as reviewers, that is,

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[20]D.W. Keirsey, "Systematic Exclusion: Eliminating
Chronic Classroom Disruptions," Behavioral Counseling, eds.
J.D. Krumboltz and C.E. Thoresen (New York: Holt, Rinehart
and Winston, Inc., 1969), pp. 89-114.

[21]E.R. Brown and E. Shields, "Results of Systematic
Suspension: A Guidance Technique to Help Children Develop
Self-Control in Public School Classrooms," Journal of Special
Education, 1 (Summer, 1967), 425-437.

[22]M. Dinoff and H.C. Rickard, "Learning That Privi-
leges Entail Responsibilities," Behavioral Counseling,
pp. 124-129.

students, faculty, and administration.[23])

I think suspension should be used as the ultimate or last-resort punishment for the following reasons. It is clear that any exclusion from school necessarily interrupts the student's classroom education. If a misbehavor is weak in his studies, his missed classes may well doom him to failure. Also suspension, of itself, cannot help to diagnose and remediate the underlying causes of a student's misbehavior. Third, suspension is a powerful label that not only stigmatizes a student in the eyes of his peers and school authorities, but also, as a part of his record, may jeopardize his later academic, vocational, and social pursuits. And fourth, if a child's homelife is less than desirable, or if his parents are not at home much of the time, suspension will place the child in circumstances which may make the punishment less effective than might otherwise be hoped for.

To summarize this discussion of the forms of punishment, then, I would like to suggest that teachers consider using reward removal punishments when punishment seems to them the only way to maintain order. The infliction of pain should be avoided if possible. And, when this form of punishment is deemed necessary, it should be imposed in as

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[23]Practical questions concerning the implementation of such a policy are explored in Clive Beck, "Some Arguments and Procedures for Democratizing the Central Decision-Making Structure of Educational Institutions," Philosophy of Education: 1974, ed. Michael J. Parsons (Edwardsville, Ill.: Southern Illinois University Press, 1974), pp. 313-321.

impersonal and unemotional a way as possible. And suspension
should be used only as a last resort.

The Limited Utility of Punishment

Punishment is one means of maintaining the conditions
of order necessary for teaching and learning to go forward
successfully. It accomplishes this end by deterring and
reforming misbehavior and, in some cases, by removing the
misbehaving student from the classroom or school. Punish-
ment is sometimes counted on to do more than this however.
Specifically, it sometimes is hoped that punishment will
contribute significantly to the moral development of students.
If punishment alone is counted on to do the job here, too much
is being hoped for.

Punishment can deter and reform misbehavior. It can
teach students that privileges entail responsibilities. And
it can even teach them that they should respect the inter-
ests of others. But the "should" here is more likely to be
a prudential than a moral one. What punishment cannot be
counted on to do is to teach students why the interests of
others ought to be respected on moral grounds. It is true,
I suspect, that punishment does in a few cases prompt students
to think about why certain principles of conduct ought to
be observed. But surely individual instruction and counseling
stand a better chance of accomplishing this end. Punish-
ment, then, should be relied on only to produce orderly be-
havior. If schools seek to foster some understanding of why

one morally ought to respect the interests of others, then
something more is needed. That something is moral education.

Discipline and Moral Education

        Moral education is a topic whose importance and com-
plexity cannot be done justice in this brief section. It
is a subject that deserves the attention of educators every-
where, though I am certain it does not deserve most of the
literature that has been produced in this field in the past.[24]
In this section I will be content to try to clarify what I
take to be some of the basic practical implications for moral
education of the moral point of view explicated in Chapter III.
Most of what I am going to say will be based on analysis of
the concept of morality. This section, then, will focus
primarily on normative and conceptual matters. Though a
few empirical matters will also be discussed as they relate
to the nature of moral development and practical methods of

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        [24]Readers who are new to this topic and wish to pur-
sue it in greater depth than space permits here will find
countless books and essays written on the subject. Among
all of the ones with which I am familiar, however, I can
recommend only a few wholeheartedly. Most of the more empiri-
cal works in this field are dated and hence do not take into
account the best available evidence concerning the nature of
moral development. Most of the more theoretical works in
this field contain philosophically inaccurate and/or inade-
quate accounts of the concept of morality. The following are
works that are both up to date and philosophically sound.
In the sphere of relevant empirical research see Theodore
Sizer (ed.), Moral Education (Cambridge, Mass.: Harvard
University Press, 1969); plus Derek Wright, The Psychology
of Moral Behaviour (Harmondsworth, England: Penguin Books,
1971). In the theoretical realm see John Wilson, N. Williams,
B. Sugarman, Introduction to Moral Education (Harmondsworth,
England: Penguin Books, 1968). And for a succinct treatment of
practical techniques see John Wilson, Practical Methods of
Moral Education (London: Heinemann Educational Books Ltd.,
1972).

moral education.

      I begin with the central point about the kind of discipline to be sought in moral education. There are numerous motivations which might prompt a person to submit to the principles of morality. He might act out of fear of the legal sanctions imposed on immoral behavior. He might act in response to peer pressure. He might act so as to please his parents or other authority figures. But in all such cases the agent could only be said to be acting in accordance with (not in obedience to) the principles of morality. This distinction recalls into prominence the point made earlier in this study that, as Kant put it, the only thing that can be called good in itslef is a good will. As was shown in Chapter III, a truly moral agent is one who wittingly makes the principle of universalizability conceived at the level of impartiality his primary criterion for morally evaluating alternative courses of action. The moral person autonomously imposes upon himself these constraints because he understands that this is the moral thing to do. He does so not merely because he wishes to avoid penalties, to please others, or for any other hypothetical reason. He does so for the categorical reason that he has developed an understanding of the idea of morality itself.

      It must be stressed that autonomy (or self-discipline) is a developed disposition. Infants have no understanding of the concept of morality. They are only dimly aware of the existence of other persons. And they have no insight into

the effects that their acts can have on other persons. As
we mature we embrace different forms of reasoning about
why we ought to act in a particular way. At one level of
development we seek primarily to satisfy our own desires.
At another we become preoccupied with pleasing our parents.
Later we become concerned to do that which our culture of
country seems to demand. And eventually, with proper stimu-
lation, we acquire some insight into the nature of the concept
of morality, that is, an insight into the formal principles
of morality, such as consistency and impartiality.[25]

If, then, moral self-discipline resulting from an
understanding of the concept of morality is what is ultimately
to be desired as an outcome of moral education, let us look
at how such understanding might be fostered. I believe that
two features of the concept of morality provide the basic
keys to how in general moral education ought to proceed.

Since, as was shown in Chapter III, the essential
features of the concept of morality are implicit in our ordi-
nary moral language, what I am going to do is to try to tease
out two of the main features of this language and point out
some of their practical implications for moral education.

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[25]This overview of moral development is based on the
best available evidence on the subject compiled and interpreted
by Lawrence Kohlberg. See, e.g., Lawrence Kohlberg, "The
Development of Children's Orientations Towards a Moral Order,"
Vita Humana, 6 (1962), 11-33. A convenient summary of Kohl-
berg's views can be found in Wilson et al., Introduction to
Moral Education, op cit.

The first of these features is what R.M. Hare frequently has
called "prescriptivity."[26] This feature can best be described
by saying that moral judgments are ones that we are supposed
to act on. If this seems a painfully obvious point, it is,
nevertheless, one that has significant implications for moral
education.

One implication is that no teacher is likely to be
very successful in stimulating moral development if he is not
himself visibly trying to live up to the moral point of view
he is advocating. This does not mean that a teacher who,
like everyone else, occasionally succumbs to temptation and
violates one of his own moral principles cannot be a success-
ful moral educator. Saintliness is not a prerequisite for
success in this field. But hypocricy is likely to ensure
failure. If a teacher is visibly upset with himslef over
his transgressions which are not everyday occurences, then
little harm is likely to be done. But if he plainly regards
his own misdeeds with equanimity, then his chances for success
are likely to be diminished.

There are other implications of the prescriptivity of
moral language which are perhaps even more significant. One
of these is that moral education is not the same thing as
teaching facts. The goal of moral education is to get students
to adopt a way of life. Adopting a set of moral principles
is what the students will have done if their moral education

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[26]See, e.g., R.M. Hare, The Language of Morals (Ox-
ford, England: Oxford University Press, 1952), Chap. 5.

has been a success. This choice of a way of life is clearly
something different from being able to recite some body of
facts, say, the capitals of the 50 states. The most common
example of the teacher who looses sight of this distinction
between kinds of knowledge is the one who tries to teach
his students to accept as fact a set of specific moral rules.
This "bag of virtues" approach aims only to inculcate obedience
to a number of particular rules, such as lying is always
wrong, stealing is always wrong, telling the truth is always
right, and so on. But when, for example, students come to
see that it might be right, under certain circumstances, to
tell a lie, they can easily become disillusioned with the
idea of morality. The realization that what were taught and
accepted as immutable moral facts are not really that at
all can be a consciousness piercing and destabilizing ex-
perience. Under such circumstances students may regress to
a state of moral nihilism in which they think that all talk
about morality is subjective and relative and hence meaningless.

How much better it would be, instead of trying to
teach specific moral rules, to try to teach about general
moral principles. If, on the one hand, students start out
thinking teachers have a complete set of ready made answers
to moral questions and then some of these answers eventually
appear to the students to be dubious at best, then they probably
will not want to discuss moral questions at all. On the other
hand, if teachers do not treat morality as a batch of pre-
packaged facts but as a way of life defined by general princi-

ples to be chosen by students for themselves with the help
of teachers, then one of the essential ingredients for moral
education will be possible, namely, communication.

I do not mean to give the impression that students
should be allowed to think and act any way they choose, or
that moral education is simply a matter of letting students
discuss moral questions. Children are bound to go through
what Kant, Piaget, Kohlberg and others have called the heter-
onomous stage in the development of their moral reasoning.
At this stage they take answers to moral questions to be
given, that is, to be simply a matter of what their parents,
schoolmasters, and other authority figures in fact do permit
or prohibit. The point I want to make here is that to take
a hands off, no rules, let them be happy approach will be
of little help to children in terms of helping them to pass
on to the autonomous stage of development at which they do
their own thinking.

The imposition of rules in schools is not simply a
regrettable necessity for maintaining order. It can be a
useful part of the preparation for moral autonomy. For what
ultimately has to be learned is moral thought. And nobody
can do moral thinking unless he has some notion of what a
moral principle is. Therefore, it can be beneficial to grow
up in a system of enforced moral rules. As they are able
to comprehend them, students should be helped to understand
the reasons for the rules, that is, they should be helped
to see the general principles behind the rules. Also teachers

should not shy away from taking a position on moral issues
that become topics of discussion in the classroom. Instead
teachers should try to articulate the thought processes they
have gone through in making their judgments. It is no good
hiding one's own moral judgments on important issues. To
do so may give the impression that either one thinks the
issues are unimportant or that one thinks that one position
is as good as the next on such issues. If we are open, honest,
and clear headed in our own moral thinking, then perhaps
our students will pick up the art more easily.

If the reasons behind school rules and teachers' own
moral judgments are made known to students when they show
some interest in them, students will at least gain some insight
into the form of moral reasoning, that is, the characteristics
of consistency, prescriptivity, impartiality, and so. Students
may later adopt and reject different parts of the content of
the school's rules and their teachers' moral opinions, but
they will at least have learned the form of a moral principle.
Thus whereas to focus on cultivating conformity to a stiff
set of specific rules can stifle moral development, to take
a no rules approach can be equally unfortunate insofar as
it places the child in the bewildering and disadvantageous
position of having to start from nothing.

The second major feature of moral language that I
want to call attention to is what I have called "imparti-
ality" in Chapter III. As in the case of prescriptivity, I
want to draw out some of the policy implications of the

fact that moral language has this second feature. Since
impartiality means respecting the legitimate interests of
others as if they were one's own, it is an essential part
of moral education that students should become able to do this.
This invovles three identifiable skills which, though inter-
related, are psychologically different enough that I will
list them separately.

The first of these skills is a part of what I have
earlier called a respect for the facts of the case. This is
the ability to discern what the consequences of one's acts
are likely to be. That this is an important objective of
moral education can be seen when we realize that we would
hardly consider our efforts at moral education a success if
our students frequently did the most disasterous things
with the best of motives. This skill is what John Wilson
has labeled GIG in his shorthand list of the components of
moral thinking.[27] Basically this skill is fostered by ordi-
nary methods of general education designed to impart a general
knowledge of the world. For purposes of moral education,
it might be an improvement to relate information and topics
covered in the normal course of things to the kinds of choices
that will eventually have to be made by students. For example,
in teaching an American history lesson about a past presidential
election, why not have the students vote and discuss among

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[27]John Wilson, Practical Methods of Moral Education,
pp. 24-25.

themselves their reasons for voting for one candidate rather than another? Such an approach could enhance student interest in the subject matter and thereby enhance both their general and moral education.

The second skill which is a part of impartial moral thinking is what I shall call empathy and what Wilson calls EMP.[28] This is the ability to discern the feelings of others and how one's actions will impinge upon them. That this ability is a goal of moral education can be seen by the fact that we surely would not consider our efforts at moral education a success if our students unintentionally but frequently hurt the feelings of others.

I shall suggest three ways among many that this ability could be fostered by schools. The first way involves the use of imaginative literature. Literature can help people to learn to understand other people's feelings. This is an argument in support of including in the curriculum literary works that portray the effects of human actions on human feelings.

A second method of promoting empathy would be to give students an opportunity to project themselves into rich hypothetical worlds created by their imaginations. This can be accomplished through the use of role playing and role

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[28]Ibid., pp. 22-24.

taking in socio-drama.[29]

A third method (if it can be called that) would be to let children know when they are being annoying. Many parents and teachers have read or heard about the beliefs of some psychologists who contend that at all costs one must not be cross with children. How much better it would be, if parents and teachers when annoyed by a child's conduct would let him know it--without, of course, resorting to an emotional outburst. Children thus might gain some insight into how their acts impinge upon the feelings of others.

The third and final ability necessary for impartial moral thinking that I want to discuss is the ability to comprehend and use the logic of ordinary moral thought and discourse. Such an understanding is a necessary part of impartial moral thinking because it is this logic which forbids us to respect only our own interests. As was pointed out at length in Chapter III, we cannot, if we are thinking morally, consider only our own interests. Instead we are enjoined by the concept of morality to respect the interests of others as if they were our own. How can an understanding of this logic be fostered?

This is a question that psychologists ought to be working on, and a few are. Probably the most useful technique for fostering an understanding of the logic of moral thought

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[29]For some concrete suggestions about using such an approach see Don Oliver and Mary Jo Bane, "Moral Education: Is Reasoning Enough?," Moral Education: Interdisciplinary Approaches, eds. Clive Beck, Brian Crittenden, and E.V. Sullivan (Toronto: University of Toronto Press, 1971), pp. 252-271.

and discourse is the case study method. This approach involves presenting to students a case involving a moral dilemma and then eliciting and facilitating their discussion of it. The point of such case studies is to develop skills of reasoning and an understanding of the formal features of moral reasoning, namely, prescriptivity, consistency, impartiality, and so on. Lawrence Kohlberg is perhaps the best known proponent of this approach.[30] Kohlberg's empirical research suggests that all persons move thourgh a six stage sequence of moral development, and further that the case study method can force a student to recognize the inadequacy of his present mode of reasoning and to move up to a more functional level, that is, one which is more consistent, impartial, and so on.

Kohlberg uses primarily hypothetical cases. However, actual historical and contemporary cases also can be used. And the use of actual cases has the advantage that, in addition to sorting out the issues and principles involved, students become familiar with a set of facts that may be of some use to them later.[31]

The view of moral education which I hope emerges from this section, then, is one that envisions enabling students

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[30]See Lawrence Kohlberg, "Stages of Moral Development as a Basis for Moral Education," Moral Education: Interdisciplinary Approaches, pp. 23-92.

[31]A useful collection of issues published on an ongoing basis is available through Public Issues Series (Columbus, Ohio: American Education Publications, new booklets added continually).

to understand the formal features of the concept of morality. This can be done in a number of ways and settings, some of which I have covered here. I believe that, if students and their teachers better understood the formal character of morality, there would be little need to worry about the content of students' moral thinking. For if their thinking is wittingly prescriptive and impartial, the content will look after itself.

Some Common Discipline Problems

In this final section I want to explore several of the most frequently occuring kinds of specific discipline problems in schools. The number of actual and potential discipline problems in schools is as vast as the number of transactions which do or could occur among students, teachers, other school officials, parents, and other persons with whom students might come in contact. For purposes of brevity I am going to discuss only those problems which occur most frequently. For purposes of coherence I will categorize these problems according to who is the primary cause of the problem. Because this is not a study about discipline per se, and because prospective teachers will comprise most of the readership of this study, I am going to discuss only teacher-caused and student-caused problems. It is these problems over which teachers have the most control.

Teacher-Caused Problems

I begin with the fundamental point about teacher-

caused discipline problems which is that students are <u>persons</u>
whose dignity ought to be respected. Teachers sometimes
engage in a number of activities which, because they ignore
the student's dignity, cause discipline problems. One such
example is the teacher who alienates his students by not
calling them by the names they prefer. Some teachers refer
to their students as Mr. or Miss. Others insist on addres-
sing their students by their last names only. Still others
call their students by their official names when, for example,
Theodore prefers "Ted." And too , teachers sometimes make
no effort to get the pronunciation of a name right. In all
such cases the student is denied the harmless right to be
known by the name and image of himself which he believes
himself to be. To disregard a student's name is to relogate
him to the status of an indiscript object to be called whatever
one wants. The residual question here is what reason a teacher
possibly could advance to justify constantly calling a student
by any name other than the one which is most likely to facili-
tate a friendly relationship between teacher and student.

A second commonplace teacher-caused problem involves
touching students. Some teachers make the mistake of patting,
pinching, or otherwise touching students of the opposite sex.
Not only is such conduct unnecessary (perhaps even sick), it
can make the teacher appear ridiculous to many students.
And, when a boy or girl imagines (or perhaps correctly per-
ceives) that his or her teacher is romantically interested
in him or her, only trouble can follow. Occasionally, too,

teachers will poke, push, or otherwise physically prod students to hurry them along at some activity. What would happen if the student reciprocated with equal or greater force? Presumably the teacher would not take what he otherwise thoughtlessly gives. Such teachers are taking advantage of a purely imagined and potentially alienating hegemony over their students. It is better to express oneself in less physical ways.

A third example of teacher-caused problems is the teacher who relies heavily on sarcasm as a means of classroom control. If, however, students were to address the teacher in a like manner, they would undoubtedly be sent to the principal's office with an angry note citing their impudent behavior. Students are bound to view a one way street of verbal abuse as an unfair double standard. By using sarcasm the teacher runs the risk of alienating not only the student involved but the remainder of the class as well. If a teacher feels that a verbal reprimand is necessary, it seems better to do so in an impersonal way, and in private if possible.

A fourth teacher-caused problem involves the teacher who thinks it is sufficient to teach by simply lecturing to his students in a ready-made fashion, as if they were universally interested in the subject matter as presented. I have pointed out earlier why teachers should try to detect, build on, and broaden students' felt interests. No other approach is likely to avoid alienation, to facilitate genuine

learning, or to foster a disposition to go on learning after one's years of formal schooling are over. To ignore this fact is to assume that one's students are mere objects whose felt interests and long term best interests may be ignored.

There are other ways that teachers can cause discipline problems, but these four commonplace examples suffice to illustrate the fundamental point about all such cases. This point is that teachers should treat students as persons who, like everyone else, are entitled to be treated with respect. In Chapter III it was shown that the principle of impartiality requires us not to treat persons in ways that we could not consistently will to become universal laws. The fact that teachers clearly would not themselves wish to be subjected to uninteresting lectures, sarcasm, physical prodding, and being called by unpreferred names suffices to show that these are all immoral practices. And as a practical matter they serve no worth while educational aim either.

Student-Caused Problems

Let us look first at the class of student-caused discipline problems that could be called minor irritations. I have in mind here those sorts of cases in which students seem to be bent on making school "interesting" for the teacher. These are the kinds of little annoyances which in heavy doses or over extended periods of time can become big annoyances. Examples are sassing, excessive talking that is unrelated to the subject being studied, constantly blurting out answers, and so on. In all such cases it is to be hoped that the minor

irritations can be dealt with effectively before they become major ones.

Probably the most commonplace disruption in this category is excessive talking. Before I discuss some steps which can be taken to alleviate this problem, I want to insert the point that total classroom silence is seldom possible given the energetic nature of children. But when two or more students persist in chattering away to such an extent that they become a real annoyance to the rest of the people in the classroom, the following approaches may prove helpful. An initial step is to let silence reign. When the talkers hear only themselves they may shut up. If this fails, center attention on their conversation without appearing unduly disturbed. Ask them if they would like to share their conversation with the class. It may be that they have something significant to offer. If not, that very fact may be so painfully obvious that they will be quiet.

If either of the above fails, it may be necessary to isolate the students by asking them to take seats in the classroom far removed from their companions. If after isolation one of the two strikes up a new conversation with another student, it is time to give a clear and firm, though not sarcastic, verbal reprimand which reminds the student that he is distracting 20 or 30 other people with his behavior.

Should all of the above fail, dismissal from the class will be necessary. Of course, a private talk should be

arranged with the student shortly thereafter to try to find
out why the student is being disruptive and nonattentive.

A second major category of student-caused problems
is the failure to meet the most basic responsibilities ex-
pected of the students. I am referring here to such problems
as tardiness, absenteeism, not doing homework, and so on.
Clearly in such cases the student has not accepted his responsi-
bilites as being worthwhile activities. Hence a private
talk may help to find out why the student is not meeting
his responsibilities and what can be done to make them seem
more worthwhile to him. What is to be done beyond this will
depend upon the particular offense and the circumstances
surrounding it.

As concerns tardiness, it is first of all important
that "late" be clearly defined by the teacher early on in the
school term. Students will thus know if they are expected
to be in class before, at, or shortly after the bell. Second,
a one-time tardiness is hardly a capital offense and is
probably best ignored. If, however, tardiness is a more fre-
quent occurrence, a preset policy should require either a
written explanation from the student or an oral explanation
after class. It is usually a mistake to discuss the whys
and wherefores of a student's tardiness during class time.
It will only distract the class. If his explanation is
implausible or unsatisfactory, a minor penalty may be in order,
such as being required to wash blackboards after school for
a few hours.

In the case of absenteeism, if the teacher has reason
to believe that the student's absence was unnecessary, he
will need to work with the student and parents to try to
alleviate the problem. An attempt should be made to make
school a more interesting and inviting place to the student.
Meanwhile the student must not be allowed to profit by unneces-
sary absences. Often students will "play sick" to avoid
examinations or term paper deadlines. Punishment will be
in order in such cases. Punishments which employ school work
per se as the unpleasant experience to be imposed as a penalty
should be avoided. The implicit message that this kind
of punishment communicates to the student is that he is
supposed to think of school work as being essentially an
unpleasant experience. Perhaps it would be better to punish
absenteeism by requiring students to help clean up rest rooms,
teacher lounges, hallways, and so on during their free time
after school for a few days. It would also be wise to rein-
force positively their good attendance in the future by showing
some personal interest and happiness in their presence.

In the case of undone homework, it is first of all
important that efforts be made to ascertain why the work is
not being done and to try to correct the problem. In any
case a wise teacher will announce early on whether students
achieving a certain grade point average will be exempt from
doing homework. And before taking any punitive action, a
teacher should be sure that his reasons for requiring home-
work of the particular student in question are valid. It

may be necessary to lower some students' grades for not doing homework. But this approach will have little effect on the student who is unconcerned with grades. In such cases other forms of punishment will be more effective, such as distasteful after school work and so on.

Questions of honesty constitute another major category of student-caused problems. Permanent "borrowing" of fellow students' school supplies, blatant lying about reasons for tardiness and absenteeism, and cheeting on tests are the most common examples. In any of these areas, a discussion with the student about the dishonesty (immorality) of his actions is in order and should be pitched at his level of development and comprehension. This means that students should be helped to see, insofar as they are able, the inconsistency and selfishness of dishonesty. As concerns other steps, I shall focus on what I suspect is the most common misdeed in this category, namely, cheating on tests.

I begin with a point about the teacher's and the school's culpability here. Cheating is often the result of a pressurized atmosphere in which the student is expected to perform beyond his capabilities. It may be viewed as heresy by some, but it might be better to allow a student who clearly is trying to learn to take a test only at a time when he has a good chance of passing it. Needless to say this approach envisions individualizing instruction and evaluation to the maximum extent possible.

But what shall be done when tests must be given to

everyone in the classroom at the same time? Two schools of
thought seem to predominate here. On one view it is argued
that the honor system of no policing is best and that trust
will be repaid with honesty. Other teachers think it necessary
to police the test-takers closely. The problem with the former
approach is that it may permit a few students to cheat and
to get away with it. The problem with the latter is that
it treats the entire class as if they were all cheaters.

If a test is important (and why else give one), every
student should have an equal chance for success. This is
obviously not the case if some students use smuggled notes
or any of the myriad other methods of cheating. Thus I
think a happy medium of surveillance is justified. The teacher
need not be constantly on patrol walking from desk to desk,
thereby branding everyone as suspect. It will suffice, I
think, to take a seat which offers full view of the students
and to watch their actions in a relaxed and unobtrusive manner.

In spite of the precautions I have just outlined,
a student may still be undeterred and may be caught cheating.
Decisive action will be in order to deter other similar offenses
and to impress upon the cheater the seriousness of his mis-
deed. Of course, a private talk with the student is likely
to help reveal why the student felt it necessary to cheat.
And it may also reveal to the student the ultimate inconsis-
tency of cheating. In terms of punishment, at a minimum, a zero
on the test will be called for to prevent the cheater from
benefiting from his transgression.

Violence is another category of student-caused problems.
I have in mind here fights between or among two or more students
and student assaults on teachers. In the case of student
versus student fights teachers have a responsibility to try
to break them up, insofar as the school assumes responsibility
for the safety of students. If the students are big enough
to present real problems to a single teacher trying to
separate the combatants, a wise teacher will get help before
intervening. Fighting students should be counseled to deter-
mine what caused the fight and what might be done to prevent
future altercations. The school should make a sincere effort
to avert fights by eliminating from the school things which are
likely to annoy a segment of the student body and which
serve no educational purpose. An example would be Confederate
symbols that annoy black students in southern schools.
Punishment for fighting should not be light, since fighting
obviously can result in serious harm to students and can
totally disrupt the academic process. The older the student
(and presumably more rational therefore) the more severe should
be the punishment. The precise form of punishment will depend
on the student's culpability in the fight and his past record.
Fighting students are frequently suspended for a few days, but
surely this is too severe a punishment for a first offense,
for reasons elaborated earlier concerning the serious effects
of suspensions on students.

Much of the recent increase in student assaults on
teachers is no doubt the fault of teachers and other school

officials.. Schools across the country are being racially
and socially desegregated for the first time. If all of
these schools' students are not made to feel welcome by the
actions of school officials, then, it is the officials who
are the instigators of the violence in their schools. School
officials, as was noted earlier, also bring trouble on them-
selves by touching students unnecessarily. Officials also
make a mistake when they accept a challenge hurled by an angry
student. Such acceptance is not only immature it is risky,
since adults may be sued for inflicting bodily harm on minors
when a confrontation could have been avoided.

What should be done when a student attacks a school
official? The official himself should try as far as possible
to protect himself without inflicting unnecessary harm on the
student. This may range from complete physical passivity
in the case of a slap from a young girl to no-holds-barred
self-defense in the case of an attack from an overgrown male
high school student. The rule, hard as it may be to remember
under the circumstances, should be to use the minimum force
necessary to protect oneself. A hearing will be in order
to assess the student's culpability in the attack. But, if and
when punishment is deemed to be in order, it should not be
light. A suspension of not less than 10 days will probably
be in order to deter similar offenses and to impress upon
the student the seriousness of his misbehavior. And it _is_
serious, for the whole schooling enterprise is in danger
when school officials cannot feel reasonably secure from.

physical assaults.

The use of illegal drugs is the last category of student-caused problems that I will discuss. Between 30 and 50 percent of the secondary school students in America use illegal drugs at least occasionally.[31] This fact alone should prompt school officials everywhere to take the time to become lay experts on the use of illegal drugs so that they can tell students exactly what the physical, psychological, and legal conequences are likely to be of using any of the more well known types of controlled substances.[32]

I hasten to add that many students undoubtedly use drugs to reduce the pressures of school. Thus school officials should make a sincere effort to alleviate the pressurized atmosphere that can be caused by unhealthy forms of competition.

But irrespective of the various reasons that lead students to drug use, when that use becomes known to school officials, they have a legal and moral responsibility to report what they know to parents and legal authorities. Both of these responsibilities are predicated on the fact that the school assumes responsibility for the safety of its

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[32]See, e.g., "The Drug Scene: High Schools Are Higher Now," Newsweek, LXXV (February 16, 1970), 66.

[33]For some practical suggestions about drug education see Robert F. Aubrey, "Student Drug Use and the Responsibility of Guidance Personnel," Focus on Guidance, 2 (October, 1969), 2-10.

students. Usually punishment for drug related cases in schools
is worked out on a cooperative basis between school and ju-
dicial authorities. I believe that in most drug _use_ cases
punishment is innappropriate. Therapy administered by well
trained personnel is probably the best approach.

When students _deal_ in drugs, however, they not only
endanger themselves, but they present a real obstacle to
the school's responsibility to protect and educate its students.
The punishment for drug dealing should be determined by the
danger of the drug in question. For example, some type of
mild reward removal may be sufficient in the case of s stu-
dent caught selling a few marijuana "joints" while on campus.
A student caught selling amphetamines or barbiturates is
certainly in line for at least a lengthy suspension. Anyone
selling a drug more dangerous than this, say heroin, is
selling sickness and death and must loose his freedom for as
long as his detention is necessary to protect society from
him.

Summary

Discipline has become an overriding concern of today's
teachers. It is a broad and complex topic which, unfortuantely,
is usually debated in a narrow and simplified way. Too often
the issue of discipline in education is conceived as an issue
of whether schools should be more prohibitive or permissive
places. In this chapter, instead of taking one side or the
other in this debate, I have tried to clarify the concept
of discipline and its connections with some key related

educational concepts.

This approach made it possible to see more clearly
(1) the significance of discipline in general education,
(2) the role of punishment as a means of maintaining and
fostering discipline in schools, and (3) the significance of
discipline in moral education. These sections of the chapter
were what I have called "separable questions" in Chapter
IV. These separable questions provided telling perspectives
on the overall complex issue of discipline in education.
Once the conceptual, empirical, and normative distinctions
and connections made possible by these sections were clear,
I then drew out some policy implications from them. And
finally, because in each of these sections it was possible
to speak about practical implications in only a general way,
I included a final section on some of the most frequently
occuring kinds of specific school discipline problems.

The view of educational discipline which this treat-
ment has helped to bring into focus transcends the poles of
the prohibitiveness versus permissiveness debate. Instead
a picture of schools has emerged in which discipline is
transferred from without to within the students themselves
through the use of interest-based instruction, enforced and
explained rules of order, fair and effective punishment for
misbehavior, and moral education that aims to develop an
understanding of the form of moral reasoning.

CHAPTER VII
SUMMARY

Should ability grouping be adopted? Should hyperactive
students be treated with drugs? Should students be bused
to achieve racial and socioeconomic desegregation in the
public schools? What sorts of punishment, if any, ought
to exist in schools? These are the sorts of normative educa-
tional policy questions that confront educators and other
concerned citizens daily. If we are to take such questions
(and indeed the entire schooling enterprise) seriously, we
must attempt to resolve them in a rational fashion.

However, discussions about such issues are frequently
anything but exemplary of the ideal of rational deliberation.
Instead the discussions are usually characterized by con-
ceptual confusion, fallacious argument, disregard for the
facts of the case, and misunderstanding of or disregard for
the nature of ethical judgment. This study has been addressed
to these shortcomings.

Chapters II and III were designed to improve the readers'
understanding of the nature of ethical judgment. In Chapter
II a critical review of the major traditional ethical theories
was presented. The discussions in that chapter made it clear

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why none of those theories, of itself, provides a rational
basis for ethics which might contribute favorably to the
intelligent resolution of educational issues. Only Kant's
cognitivist theory presents a very favorable picture in
this regard by introducing an objective norm, namely, uni-
versalizability. However, at the level of analysis at which
Kant leaves his principle of universalizability, it seems
to require only consistency on the part of agents. And,
as was seen in Chapters II and III, consistency is only a
necessary not a sufficient basis for morality. For it remains
to be shown why we would not ordinarily consider a person
to be moral who consistently contravened the interests of
others.

In Chapter III, through analysis of the logic of ordi-
nary moral thought and language, some of our implicit pre-
suppositons about morality were made more explicit. In this
manner it was possible to see that the criterion of consistency
is only one presupposition of the concept of morality. It
was shown that what also undergirds the idea of morality
is a more stringent criterion, namely, the principle of im-
partiality. This principle obliges us to respect the legiti-
mate interests of others as if they were our own.

The principle of impartiality is not a hypothetical
norm contingent upon the idiosyncratic predilictions of any
particular individual. It is instead a necessary feature of
the idea of morality itself, a criterion for conduct that
men have found over the ages to be worth observing. It is

what is presupposed (if only dimly in many cases) by anyone
who seriously asks the question, "What ought I to do?"
Strictly speaking, then, no new ethical knowledge has been
advanced herein, instead I have tried only to arrange and
to make more clear that which we already knew tacitly.

Misconceptions of or disregard for the nature of
ethical judgment are not the only ways in which people depart
from the ideal of rational deliberation in attempting to
grapple with educational issues. Fallacious argument, concep-
tual confusion, and disregard for the facts of the case are
also problem areas. Accordingly, in Chapter IV three aspects
of critical thinking related to these problem areas were
discussed. The first of these was a respect for logic.
A respect for logic is a disposition to think for oneself
and not to rely on easy substitutes for thinking, namely,
persuasive but fallacious reasoning. In short, a respect
for logic means trying to ascertain what is being derived
from what in any argument.

The second aspect of critical thinking discussed was
a respect for language. This involves trying to get clear
about precisely what is meant by the key terms invovled in
an educational issue by carefully analyzing and defining
them. If an issue is to be resolved intelligently, there
must first be some mutual agreement about what is at issue.

The third aspect of critical thinking discussed was
a respect for the facts of the case. This is a propensity
to try to establish as far as possible and to the extent

that seems relevant the identifiable circumstances out of
which an issue has arisen and the best available evidence
of what the probable consequences would be of proceeding on
each of the alternative courses of action available. These
aspects of critical thinking and the moral point of view
of impartiality are applied to a complex educational issue
most efficaciously by breaking the issue down into separable
and more manageable questions and then trying to answer those
questions in a way consistent with what has been called a
respect for logic, language, the facts of the case, and the
legitimate interests of others.

In Chapters V and VI this general approach to dealing
with educational issues was brought to bear on two real edu-
cational policy questions. In Chapter V it was seen that,
when measured against the criteria just described, the argu-
ments in favor of busing public school children for purposes
of racial and socioeconomic desegregation have more merit
than the arguments advanced in oppositon to busing.

In Chapter VI, by breaking the complex issue of edu-
cational discipline down into separable questions, it was
possible to establish the importance of self-discipline in
education, the proper role of punishment in maintaining disci-
pline, and the significance of self-discipline in moral
education.

Complex educational issues will always be with us.
Those of us who desire to resolve them in a fair and wise
fashion grope for some methods of inquiry and principles of

ethics which would make that task possible. Clearly no hard and fast, step by step method can be established which, in mathematical fashion, will produce a fair and wise resolution for every issue deductively. This is the case for the patent reason that there is no hard and fast common structure to issues.

What one is left with, then, is the hope of finding some general common features among issues, that is, elements shared in common by all complex educational issues. These common elements, I believe, are their conceptual, empirical, and normative aspects. In this study I have tried to advance some useful objective criteria for dealing with these elements. These criteria form an approach that consists in (1) breaking issues down into separable and more manageable questions, (2) identifying these simpler questions as to their kind, and (3) trying to answer them in a way consistent with what I have called a respect for logic, language, the facts of the case, and the interests of other persons. Without these criteria there can be little objective basis upon which to distinguish relevance from irrelevance, sense from nonsense, fact from fiction, or right from wrong. And confusion, ignorance, or violence will rule where reason might have. With them the presuppositions of serious moral thought and argument and normative educational policy questions take on the significance they deserve in a world inhabited by beings capable of a discerning and effective use of reason.

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I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.

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I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.

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